

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12257 of 2025

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Rubee Khatoon @ Km. Rubee Khatoon, Daughter of Mahamud Ansari,
Resident of Village- Manjharia, P.O.- Ahiyapur, P.S.- Vijaipur, District-
Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar,
New Secretariat, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The District Magistrate, Gopalganj.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Literacy), Gopalganj.
6. The Headmaster, Upgraded Middle School, Bangra Mathiya, Block and P.S.-
Vijaipur, District- Gopalganj.
7. Sabeena Khatoon Daughter of Subdar Miyan Resident of Village-
Manjharia, P.O.- Ahiyapur, P.S.- Vijaipur, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bipin Bihari Singh, Advocate Mr. Sunil Kumar Singh,
For the Respondent/s	:	Mr. Madanjeet Kumar, GP 20

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-07-2025 Heard Mr.Bipin Bihari Singh along with Mr. Sunil

Kumar Singh, learned counsels appearing on behalf of the

petitioner and Mr. Madanjeet Kumar, learned GP 20 for the

State.

2. Petitioner has *inter alia* prayed for following reliefs

in the paragraphs No.1 of the writ petition:-

*“That this petition is for setting aside the
order passed by District Programme Officer (Literacy),
Gopalganj contained in Memo No.115 Gopalganj dated
29.05.2025 cancelling her appointment on dictate of
superior, which is nullity in Eye of Law as well as*



without providing reasonable opportunity of hearing to defend her bonafide claim taking into consideration the 'Right of Hearing' accrued to her in view of selection and appointment against respective post and further prayer for reinstatement in service with back wages as per entitlement and for other necessary relief/relief's on the basis of facts and circumstances of the case as stated, enumerated and discussed hereinafter."

3. The petitioner was appointed as per the guidelines issued by the State Government in the year 2018, namely, Shiksha Swayam Sewak (Talimi Markaz) by clarifying that those appointments already were made from 2009 onwards as per the earlier scheme will have no effect after coming into force of the present guidelines. It is the case of the petitioner that petitioner continued to perform her duty from the date of her engagement on 18.03.2024 and all of a sudden, her honoraum has been stopped in light of the order dated 29.05.2025 passed by the District Education Officer, Gopalganj.

4. This Court restrain from interfering in any manner in respect of any action taken by the authority in light of the several decision of this Court wherein it has been held that Shiksha Swayam Sewak (Talimi Markaz) belongs to minority and they voluntarily take up to work amongst the extremely backward caste of Muslim and their appointment cannot be held to be as per the provision of Article 309 of the Constitution of India.



5. In view of the fact that petitioner has already filed a representation before the District Magistrate, Gopalganj, the petitioner, if so advised, may pursue remedy before the District Magistrate, Gopalganj for expeditious consideration of her grievance.

6. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

Sanjay/-

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