

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22280 of 2014

1. Shashi Bhusan Ram Son of Shri Rajbanshi Ram Resident of village P.O. Nonaura, P.S. Ghorasahan, District - East Champaran at Motihari
2. Umesh Ram Son of Sheoraj Ram Resident of village - Mahuari Murshidabad, P.O. Bhelwa Circle, P.S. Ghorasahan, District - East Champaran at Motihari
3. Mundrika Kumari Wife of Aamodlal Bharti Village - Basantpur, P.O. P.S. Kundwa Chainpur, District - East Champaran at Motihari
4. Majesh Baitha Son of Ranjit Baitha Village - Bakulia, P.O. Bankatwa, P.S. Ghorasahan, District - East Champaran at Motihari
5. Kirpa Kumari Daughter of Jagdish Baitha Village - Bakulia, P.O. Bankatwa, P.S. Ghorasahan, District - East Champaran at Motihari
6. Om Prakash Ram Son of Late Satyanarain Ram Village - Araria, P.O. Samanpur, P.S. Kundwa Chainpur, District - East Champaran at Motihari
7. Rajesh Baitha Son of Kailash Baitha Village P.O. Samanpur, P.S. Kundwa Chainpur, District - East Champaran at Motihari
8. Madan Baitha Son of Late Ramdeni Baitha Village - Koraiya Laukhana, P.O. Laukhana, P.S. Ghorasahan, District - East Champaran at Motihari
9. Mohammad Reyar Son of Mohammad Yasin Village P.O. P.S. Ghorasahan, District - East Champaran at Motihari
10. Nikhat Pravin Wife of Wasim Ansari Village - Jagraha, P.O. Purnahiya, P.S. Ghorasahan, District - East Champaran at Motihari
11. Khurshid Mian Son of Vakil Mian Village - Bukaliya, P.O. Bankativa, P.S. Ghorasahan, District - East Champaran at Motihari
12. Md. Imtiyaz Alam Son of Eidmahmad Mansuri Village P.O. Lakshmipur Laukhan, P.S. Ghorasahan, District - East Champaran at Motihari
13. Sakina Khatoon Daughter of Neshar Ahmad Village P.O. Lakshmipur Laukhan, P.S. Ghorasahan, District - East Champaran at Motihari
14. Salim Ansari Son of Zahir Ansari Village - Dudulwa, P.O. Bankatwa, P.S. Ghorasahan, District - East Champaran at Motihari
15. Imtiyaz Ansari Son of Ramjaan Ansari Village P.O. P.S. Ghorasahan, District - East Champaran at Motihari
16. Raushan Aara Wife of Md. Alam Village P.O. P.S. Ghorasahan, District - East Champaran at Motihari
17. Afsaana Begum Wife of Parver Alam Village - Barwakala, P.O. Jhajham, P.S. Ghorasahan, District - East Champaran at Motihari
18. Mostam Alam Son of Md. Manjoor Alam Village - Barwakala, P.O. Jhajham, P.S. Ghorasahan, District - East Champaran at Motihari
19. Shamim Akhtar Son of Md. Ibrahim Village - Mansoor Tola Lankhan, P.O. Lankhan, P.S. Ghorasahan, District - East Champaran at Motihari

... .. Petitioner/s



Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna
3. The Director, Jan Siksha, Government of Bihar, Patna
4. The District Magistrate, East Champaran, Motihari
5. The District Education Officer, East Champaran at Motihari
6. The District Programme Officer Literacy East Champaran at Motihari
7. The Block Education Officer, Ghorasahan Block, District - East Champaran at Motihari

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Advocate
For the Respondent/s	:	Mr. Rajesh Kumar, GP-1
	:	Mr. Rajeev Ranjan, AC to GP-20

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

7 19-11-2025 Heard learned counsel for the petitioners and learned
counsel appearing for the Respondent-State.

2. Admittedly, this matter relates to Tola Sewak and
Talimi Markez Shiksha Swamsevaks.

3. By a Coordinate Bench decision of this Court dated
02.01.2024 passed in CWJC No. 15189 of 2019, this issue has
been addressed by holding and observing that Talimi Markez
Shikshak Swamsevi does not hold Civil Post as well as the same
is not a statutory post and, therefore, the writ is not
maintainable. Prior to this Coordinate Bench decision, in LPA
No. 2185 of 2015, a judgment had already been passed on
02.02.2017 holding and observing that engagement or hiring of
Tola Sewak is not a permanent appointment under the State,



which is required to be considered under Article 226 of the Constitution of India.

4. In view of the aforesaid decisions, the present writ application would not be maintainable under Article 226 of the Constitution of India and hence, it is dismissed as not maintainable.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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