

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17708 of 2024

Saleha Tabassum Wife of Md. Sabir Resident of Village- Goriyara, P.O.-
Chamarua, Gram Panchayat Raj- Mahamadpur Sube, P.S.- Karja, Block-
Marwan, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Additional Chief Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
3. The Director, Mass Education, Department of Education, Bihar, Patna.
4. The District Magistrate, Muzaffarpur.
5. The District Education Officer, Muzaffarpur.
6. The District Programme Officer (Literacy), Muzaffarpur.
7. The Block Education Officer, Marwan, Muzaffarpur.
8. The Headmaster, Government Upgraded Middle School, Goriyara, Panchayat- Mahammadpur Sube, P.S.- Karja, Block- Marwan, District- Muzaffarpur.
9. Farheen Afjaleen Wife of Md. Aftab Alam Resident of Village- Bangari, P.O.- Marwan, Gram Panchayat- Mahammadpur Sube, P.S.- Marwan, Block- Marwan, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nityanand Mishra Mr. Alok Abhinav Mr. Abhishek Mishra
For the Respondent/s	:	Mr. Manish Dhari Singh, AC to A.G.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-01-2025 1. Heard learned counsel for the petitioner and learned AC to learned Advocate General.
2. The learned counsel appearing on behalf of the State submits that petitioner has filed the instant writ application seeking quashing of the selection cum merit list dated 09.09.2023 (Annexure-3) prepared by the Selection Committee



by the approval of the District Programme Officer (respondent no. 6) whereby final merit list for selection to the post of *Shiksha Sevak/ Shiksha Sevak (Talimi Markaj)*, has been published in which other candidates belonging to other *ward/tola* have been selected and the petitioner despite being resident of Ward No. 7, Goriyara has not been selected.

3. The learned counsel appearing on behalf of the State next submits that the petitioner against the order impugned in the instant writ application has already moved before the concerned District Magistrate of the district, District Programme Officer and District Education Officer.

4. The learned counsel for the State further submits that the appointment of *Talimi Markaj* is not under any statutory provision rather is under a guideline which has been issued for appointing *Talimi Markaj* for the purposes of ensuring that children in between the age of 5 to 14 years are brought to the school for the purposes of education. It is also submitted that even the writ application at the behest of the petitioner is not maintainable for the reason that *Talimi Markaj* is not an appointment under the State nor they come within the definition of authority as incorporated under Article 12 of the Constitution of India.



5. At this stage, the learned counsel appearing on behalf of the petitioner seeks permission to withdraw the writ application with liberty to raise all the issues before the District Magistrate, Muzaffarpur.

6. Permission is accorded.

7. Accordingly, the instant writ application is dismissed as withdrawn with the liberty aforesaid.

(Satyavrat Verma, J)

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