

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6749 of 2025**

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1. Ram Narayan Singh S/o-Late Ramashray Singh Resident of Village Marar, P.O-Chorma, P.S- Bhagwanpur Hat, District - Siwan.
  2. Ram Pujan Singh, S/o-Late Ganga Singh, Resident of Village - Mora, P.O - Mora, P.S- Bhagwanpur Hat, District Siwan.
  3. Shree Niwas Tiwary, S/o-Late Tareshwar Singh, Resident of Village Piprahiya, P.O Aruwan Piprahiya, P.S Bhagwanpur Hat, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Bihar Education Project Council, Patna.
3. The District Programme Officer, Siwan, Bihar.
4. The District Education Officer, Siwan, Bihar.
5. The Block Education Officer, Bhagwanpur, Siwan.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Narayan, Advocate  
For the Respondent/s : Mr. Akash Agrawal, Advocate

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      29-06-2026                      Heard learned counsel for the petitioners and learned  
counsel for the State.

2. The petitioners have filed the present writ petition  
for the following reliefs:-

*i. Issue a Writ of Mandamus, or any  
other appropriate writ, order, or direction,  
commanding the Respondents to reinstate the  
Petitioners in their current employment as Block  
Resource Persons / Prakhanda Sadhan Sevi in  
Bhagwanpur Block, District Siwan, Bihar, and  
restrain them from terminating their services  
arbitrarily and Quash the letter No.SSA/906 dated  
28.03.2025 by Respondent No.3 and Respondent*



*No.4 (Contained in Annexure P-6).*

*ii. Direct the Respondents to continue the Petitioners in their respective posts as Prakhand Sadhan Sevi and ensure that their services are not discontinued unlawfully or without just and proper cause.*

*iii. Direct the Respondents to consider the Petitioners' case sympathetically in light of their tenure, experience, and past service contributions, and to allow them to continue in their existing roles.*

*iv. Declare the termination of the Petitioners from the post of Prakhand Sadhan Sevi as arbitrary, violative of the principles of natural justice, and unconstitutional, being in direct contravention of Articles 14 and 21 of the Constitution of India.*

*v. Stay the operation and effect of the termination order during the pendency of the present writ petition, in the interest of justice, equity, and fair play.*

*vi. Pass such further or other orders as may be deemed just, equitable, and proper in the facts and circumstances of the case, in the interest of justice.*

3. Learned counsel for the petitioners fairly submits that the issue of Block Resource Persons has already been tested by this Court in which detailed judgment has been passed vide order dated 14-05-2026 passed in CWJC No.8242 of 2025 in case of **Dhruvanath Singh & Ors. Vs. The State of Bihar & Ors.** Therefore, the present writ petition may also be decided in respect of the same.

4. Learned counsel for the State submits that on merit,



the case of the petitioners has already been decided by this Hon'ble Court. The issues relating to Block Resource Persons in Siwan district have already been tested by this Hon'ble Court in **Dhruvanath Singh & Ors.** (supra).

5. After hearing the parties, it transpires to this Court that this issue has already been tested and decided in the said case whose relevant paragraphs are as follows :-

*17. After hearing the parties and going through the letters impugned, it transpires to this Court that the petitioners were admittedly retired teachers and their services have been taken as BRP on contractual basis. Therefore, the claim of the petitioners that protection is granted to the petitioners as like that of Government employee under Article 311 of the Constitution of India, is not available to them. They have been assigned for doing specific work. The said work had not been found satisfactory and the collection done by them and by other outsourcing agencies of the same school, found to be in complete contradiction. Therefore, the Government decided that such types of collection shall be a futile exercise, therefore, as a policy matter, decision has been taken not to continue further. This Court appreciates the decision of the Bihar Education Project Council that this decision has been taken at the earliest so that huge money loss shall not take place. It also transpires to this Court vide office order contained in Letter No.10 dated 20.02.2025 that work of the project council has not been hampered rather this decision has been taken only to take the work from those persons as mentioned in column 3 of the said letter.*

*18. Upon perusal of those judgments in*



*which the petitioners put emphasis i.e., **State of Haryana Vs. Piara Singh (supra)** and **Ramana Dayaram Shetty Vs. IAAI (supra)**, this Court finds that it shall not help the petitioners in any way due to the reason that in the referred case, petitioners were regular employee, but in the present case, they have already retired.*

*Similarly, another judgment on which petitioners' relied i.e., **State of Haryana Vs. Piara Singh (supra)** shall also not help the petitioners in any manner as the said judgment was for the temporary/Ad-hoc employees. Here in the present case, the petitioners are neither temporary nor Ad-hoc employees rather contractual person after retirement and no replacement has been made at the place of petitioners.*

*19. Here in the present case, petitioners were allowed to work on contract as BRP for particular purpose and in verification, it has been found that the entire purpose has failed and it is due to this reason as the authorities have decided not to take work from the retired persons. This Court finds that the appointment of the petitioners was additional and the purpose for which appointment has been made, was going to be failed as there were contradictory report submitted by them then, continuation of the petitioners shall be a futile exercise and loss of public money.*

*20. It further transpires to this Court that vide Annexure-P/6 i.e., Memo No.1861 dated 28.07.2023 that it was mentioned in Clause 7 that if services shall not found satisfactory then, it shall be stopped with immediate effect. When decision for appointment of petitioners for collection of data has been made, but upon inspection, strong discrepancies in those data has come. Therefore, in the opinion of the Court, permission to continue for further collection of data shall be a futile exercise and it should be immediately stopped, that has*



*been done by the officials (respondent Nos.6 and 7). In addition to that, it is the public exchequer which has to be taken care of. It is not the case of the petitioners that the project council has taken work and not make payment rather it was decided much prior that from a future date, they shall not continue to work, and therefore, this Court is not inclined to interfere in the impugned orders and hence, dismissed the present writ petition.*

*21. With the aforesaid directions and observations, the present writ application stands dismissed.*

6. In the light of the observations made in the case of **Dhruvanath Singh & Ors.** (supra), which is mentioned above, this writ petition is not maintainable, and hence, the present writ petition stands dismissed.

**(Dr. Anshuman, J)**

Anshuman/-

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