

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6541 of 2026

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Sima Kumari Wife of Badal Rishi, Resident of Village Maheshganj Mstaliya,
P.S.- Kochadhaman, District Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Department of Education, Government of Bihar, Patna.
3. The District Magistrate, Kishanganj.
4. The District Education Officer, Kishanganj.
5. The District Programme Officer (Secondary Education and Literacy), Kishanganj.
6. The Tola Sevak/Siksha Sevak Selection Committee, Primary School Maheshwar Mstaliya (BEP), Kochadhaman, Kishanganj.
7. Asha Devi, Wife of Rameshwar Rishi, Resident of Village Maheshganj Mstaliya, P.S.- Kochadhaman, District Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nihal Beg, Adv.
For the Respondent/s	:	Mr. Anant Pd Singh, SC-15
		Mrs. Deepika Sharma, AC to SC-15

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 14-07-2026

Learned Advocate for the respective parties are present.

2. The petitioner has approached this Court seeking a direction upon the concerned respondents to appoint the petitioner on the post of Tola Sevak/Siksha Sevak as directed by the respondent District Education Officer, Kishanganj under order contained in Memo No. 445 dated 13.06.2025. Despite the order having been passed by the District Education Officer, the



petitioner has not been appointed and thus, she is constrained to approach this Court.

3. A counter affidavit has been filed on behalf of respondent no. 5 with a specific contention that with regard to the appointment to the post of Tola Sevak/Siksha Sevak, the Government has come out with Memo No. 575 dated 14.09.2023, contemplating the process of selection; accordingly the District Education Officer considered the case of the petitioner and vide order dated 13.06.2025 directed to ensure the appointment of the petitioner.

4. In the meanwhile, the Department of Education, Government of Bihar has issued Order No. 550 dated 17.06.2026 and by the said order, the State Government has directed that no further action towards appointment of Tola Sevak/Siksha Sevak shall be taken anywhere in the State of Bihar, as the matter is sub-judice before the Hon'ble Court.

5. Learned Advocate for the State further apprised this Court that the Hon'ble Court vide its judgment/order dated 25.06.2025 in LPA No. 805 of 2022 has set-aside the earlier instruction/guidelines governing the selection of Tola Sevak/Siksha Sevak and directed for issuance of fresh guidelines for the entire selection process. Aggrieved, the State



preferred a Review Petition bearing No. 08 of 2026, which is pending before this Court. In such circumstances, the respondent authorities are constrained to take any positive action in the matter of appointment of the petitioner in the light of the order passed by the District Education Officer.

6. Learned Advocate for the petitioner confronting the submission of the State Counsel submits that the learned Division Bench of this Court in LPA No. 805 of 2022 has made out clear that those who have already appointed, their position should not be disturbed.

7. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the fact that till date the appointment of the petitioner could not have been made in pursuant to the order passed by the District Education Officer, Kishanganj, in Memo No. 445 dated 13.06.2025 and in the meanwhile, all the process of appointment across the State has been put to halt vide Memo No. 550 dated 17.06.2026, besides the fact review application is pending consideration before this Court, it would be apt and proper to direct the concerned respondent to take all necessary action for appointment of the petitioner immediately after disposal of the Review Petition No. 08 of 2026, in no case beyond the period of



four weeks, if there would not be any other impediment in granting the appointment in favour of the petitioner.

8. Accordingly, the present writ petition stands disposed off.

(Harish Kumar, J)

sumit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.07.2026
Transmission Date	NA

