

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10226 of 2018

Abdul Sattar son of Md. Israil, Resident of Village- Patlapur, P.O. Madhopur,
P.S. Shahpur, District- Patna. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Programme Officer, Secondary Education and Literacy, Patna.
3. The Block Development Officer at Danapur, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate
For the Respondent/s : Smt. Shilpa Singh, GA-12
Ms. Abhanjalli, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 30-06-2026 Heard learned counsel for the parties.

2. The petitioner has challenged the Memo No. 976 dated 30.01.2016, whereby and whereunder he has been terminated from his post of ‘Talimi Markaz’ posted at Upgraded Middle School Patlapur, through the present writ petition.

3. Learned counsel for the petitioner by referring to Annexure-2 the selection list dated 11.12.2013, submits that altogether 11 persons were appointed on the post of ‘*Talimi Markaz*’ and out of which 9 persons have been given appointment in different schools. While the case of this petitioner has not been considered on the ground that selection was not made as per rules and the petitioner has secured less marks. Further, the Co-ordination Committee was not constituted.

4. It has next been submitted that if these grounds



are tenable in law, in such event, the other persons who have been given appointment from the selection list as Memo No. 443 dated 11.12.2013, may not have been acted upon and same may not be allowed to sustain in law. Since, there is no consideration made as to how the authorities have reached to such conclusion, where this petitioner is found to have acquired less marks and further there is no reference with regard to any violation of rules and coordination committee has not been constituted, does not form part of consideration, surely required intervention.

5. On the other hand, counsel for the State is also not in a position to dispute the same and submits that the matter may be remanded for consideration of the case of the petitioner.

6. In view of the stand of the parties, this Court finds it appropriate to set aside the order as contained in Memo No. 976 dated 30.01.2016 and accordingly, District Programme Officer, Patna is directed to reconsider the selection list dated 11.12.2013 and if from the said list others have been appointed and there is no legal impediment in consideration of the case of this petitioner, in such event necessary orders shall be passed and similar treatment shall be extended in favour of this petitioner within three months.



7. Accordingly, the instant writ application stands
disposed of.

(Ajit Kumar, J)

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