



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6009 of 2026

Prem Kumar Rajak @ Prem Baitha Son of Harijan Rajak, Resident of Village-Shahbazpur Salem, P.O.- B Factory, P.S.- Ahiyapur, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Deputy Development Commissioner, District- Muzaffarpur, Bihar.
4. The District Education Officer, Muzaffarpur, District- Muzaffarpur.
5. The District Programme Officer (Establishment), District- Muzaffarpur.
6. The District Programme Officer, Madhyamik Siksha and Saksharta, District- Muzaffarpur.
7. The Block Education Extension Officer, Block- Musahari, District- Muzaffarpur.
8. Headmaster, Government Primary School, Chandan Bakhri, Musahar, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Noumaan Ahmad, Adv.
Mr.Arif Daula Siddiqui, Adv.
For the State : Mr.Government Pleader (20)
Mr.Rajeev Ranjan, AC to GP 20

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 12-05-2026 Heard the parties.

2. At the outset, learned counsel appearing for respondent-State raises an objection with regard to maintainability of the present writ application at the behest of Siksha Swayam Sewak (Talimi Markaz). He contends that it is by now well settled that writ application on behalf of Tola Sewak or Siksha Swayam Sewak (Talimi Markaz) is not





maintainable under Article 226 of the Constitution of India. He particularly relies upon judgment and order dated 02.02.2017 passed by Division Bench of this Court in LPA No. 2185 of 2015 wherein it has been unequivocally held that selection or engagement or hiring of Tola sewak or Talimi Markaz is not a permanent appointment under the State, which is required to be considered under Article 226 of the Constitution of India. He also relies upon judgment and order dated 01.03.2021 passed in LPA No. 630 of 2019 wherein the Hon'ble Division Bench, after taking notice of the judgment dated 02.02.2017 passed in LPA No. 2185 of 2015, had dismissed the LPA which was filed by Tola Sewak. He also refers to another judgment and order dated 02.01.2024 passed by a coordinate Bench of this Court in CWJC No. 15189 of 2019 wherein it has been held that Talimi Markaz, Siksha Swayam Sewak and Tola Sewak do not hold civil post as well as they are not even a statutory post and therefore, no writ is maintainable at their behest.

3. While responding to the above objection raised by learned counsel for the respondent-State, learned counsel appearing for the petitioner submits that although the writ application may not be maintainable but in the interest of justice, the present writ application may be disposed of granting





liberty to the petitioner to file representation before the District Programme Officer (Establishment), District- Muzaffarpur (respondent no. 5) for redressal of his grievances.

4. Considering the submissions made by the parties, this Court is of the view that the present writ application is not maintainable at the behest of the petitioner, who was admittedly a Siksha Swayam Sewak (Talimi Markaz).

5. It is accordingly disposed of as not maintainable granting liberty to the petitioner to approach appropriate authority for redressal of his grievances.

(Alok Kumar Sinha, J)

Kundan/Namrata

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