

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20211 of 2010

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1. Dhan Kumari D/O Sri Rajendra Ram R/O Vill.- Halhan, P.O.- Daidhan, Distt.- Buxar

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary Cum Commissioner To Deptt. Of Human Resources Null Bikas Bhawan, New Secretariat, Bihar, Patna
3. The District Magistrate, Buxar
4. The District Education Officer, Buxar
5. The District Superintendent Education Officer, Distt.- Buxar
6. The Block Development Officer, Block- Rajpur
7. The Block Education Officer, Block- Rajpur, Buxar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. SURAJ DEO SINGH

For the Respondent/s : Mr. PRASHANT PRATAP(SC17)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 30-01-2015

Heard Mr. Suraj Deo Singh for the petitioner and Mr. Pandey, A.C. to G.P. 6 for the State.

The writ application was initially filed commanding the respondents to pay her salary of the post of Panchayat Teacher which was withheld since September, 2008.

A counter affidavit has been filed on behalf of the respondents enclosing therewith an order passed by the respondent Block Development Officer on 10.5.2008 terminating her service as Panchayat Teacher. The petitioner now wants to assail that order also.

On perusal of the pleadings on record, it appears the

petitioner, in essence, raising a dispute relating to her engagement and payment of salary as Panchayat Teacher. The status of the petitioner as having been initially appointed as Panchayat Teacher vide Annexure-A is, however, not in dispute. If that be the case then the petitioner should have raised a grievance in this regard before the District Teacher Appointment Appellate Authority constituted under Rule 18 of the Bihar Panchayat Elementary Teacher (Employment and Service Conditions) Rules 2006. The petitioner would be at liberty to invoke the jurisdiction of the Authority for redressal of her grievance either against non-payment of salary and/or termination/removal from service.

If any such application is filed within four weeks, the Authority will consider the same on merit without raising an issue of limitation and disposed of the same in accordance with law.

The application is disposed of.

(Kishore Kumar Mandal, J)

Pankaj/-

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