

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15792 of 2011

=====

1. Bhawani Kumari W/O Sri Ram Sunder Mandal Resident Of Village & P.O.- Ranna, P.S.- Hathauri, Via Baheri, District- Samastipur

.... Petitioner/s

Versus

1. The State Of Bihar Through Its Principal Secretary, Department Of Human Resources (Primary Education), Govt. Of Bihar, Patna
2. The Commissioner, Darbhanga
3. The Collector, Samastipur
4. The District Teachers Employment Appellate Authority, Samastipur
5. The Block Development Officer, Shivaji Nagar, District Samastipur
6. The Mukhiya, Gram Panchayat Raj Rhiyar North Under Shivaji Nagar Block In The District Of Samastipur
7. The Panchayat Sachiva, Gram Panchayat Raj Rhiyar North, Under Shivaji Nagar Block In The District Of Samastipur
8. The Headmaster Primary School Malhi Pakar, Under Shivaji Nagar Block In The District Samastipur
9. Kiran Kumari Wife Of Sri Ganesh Kumar Resident Of Village & P.O. Parsa, Via Baheri, District Samastipur

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Amarendra Narayan

For the Respondent/s : Mr. Rakesh Kr Samrendra Sc21

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

11 16-12-2016 Heard learned counsels for the petitioner and respondents.

The petitioner is aggrieved by the order dated 28.12.2010 contained in memo no. 848 dated 31.12.2010 passed by the District Teachers Appointment Appellate Tribunal, Samastipur in Appeal No. 1351 of 2010 whereby the petitioner's appeal was dismissed.

It is submitted by the learned counsel for the



petitioner that the appeal was mechanically been dismissed without noticing the forgery committed by the appointing authority.

Since the Bihar State Teachers Appellate Authority has started functioning, this writ application is disposed of with a liberty to the petitioner to file appeal before the State Appellate Authority within four weeks.

In view of the fact that the petitioner is pursuing the remedy before this Court as this writ application is pending since 2011 and both sides agree not to raise the issue of limitation before the State Appellate Authority, it is expected from the State Appellate Authority to decide the matter expeditiously on merit in accordance with law without allowing the parties to raise the issue of limitation provided the appeal is filed within a period of four weeks from the date of receipt/production of the copy of this order. However, the petitioner will be required to file limitation petition when the State Appellate Authority will condone the delay, if any, and decide the appeal on merits.

Learned counsels for respondent no.9 and counsel for the respondent-State submits that they will appear suo motu without awaiting for issuance of notice.



Accordingly, the writ application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

U			
---	--	--	--

