

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22673 of 2013

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Dharmendra Kumar Rai S/o Ram Pukar Rai, resident of village - Panapur,
P.O. Kanahuli, P.S. Mahua, District – Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department,
Govt. of Bihar, Patna
3. The District Magistrate, Vaishali
4. The District Education Officer, Vaishali
5. The Mukhiya, Gram Panchayat Raj, Kanahuli Dhanraj, Block - Goraul,
Distt. Vaishali.
6. The Panchayat Secretary, Gram Panchayat Raj, Kanahuli Dhanraj, Block
- Goraul, Distt. – Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Singh

For the Respondent/s : M/s Ajay Bihari Sinha and Neeraj Raj

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 06-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is making prayer for
setting aside the order of the Collector dated 10th August 2013
whereby and whereunder the Collector has refused to grant the
relief of salary to the petitioner.

At present, the petitioner is a Panchayat Teacher.
With regard to redressal of the grievance, the District Teachers
Appellate Authority has been constituted under the Bihar
Panchayat Elementary Teachers Appointment (Conditions and

Service) Rules, 2006.

The counsel for the petitioner submits that the District Magistrate is not the competent authority under the Rule to examine with regard to entitlement of the salary, the Appellate Authority is only the competent authority for the same.

As the matter relates to purely for payment of salary, the petitioner if so advised, may file an appeal before the Appellate Authority. If such appeal is filed, the Appellate Authority will dispose of the matter within a period of six months from the date of filing of the appeal.

As the Collector is not the competent authority under the Rule, the order passed by the Collector will not cause any prejudice to the petitioner.

With the above observation/direction, this petition is disposed of.

(Shivaji Pandey, J)

Mahesh/-

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