

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 1058 of 2012

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Pradeep Kumar S/O Masudan Mahto Resident Of Vilage- Nemchak, P.O-
Khakhri, P.S- Kashichak, District- Nawada.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna.
2. The Director, Department of Primary Education, Government of Bihar, Patna.
3. The District Magistrate, Nawada.
4. The District Superintendent of Education, Nawada.
5. The Block Development Officer, Warsaliganj, District- Nawada.
6. The Block Education Extension Officer, Warsaliganj, District- Nawada.
7. The Mukhiya, Gram Panchayat Raj, Makanpur Block, Warsaliganj, District- Nawada.
8. The Panchayat Secretary, Gram Panchayat Raj Makanpur Block- Warsaliganj, District- Nawada.
9. Bablu Prasad S/O Baleshwar Mahto Resident of Village- Sultanpur, P.S- Warsaliganj, District- Nawada.
10. Arbind Kumar S/O Hardesh Singh R/O Village- Nemchak, P.O- Khakhri, P.S- Kashichak, District- Nawada.
11. The District Teacher Appointment Appellate Authority Nawada, Bihar, through its Presiding Officer.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary

For the Respondent/s : AC to SC - 5

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 23-05-2017 Heard Sri Dhananjay Kumar Tiwary, learned counsel
for the petitioner and learned A.C. to Standing Counsel - 5.

The petitioner has approached this Court invoking its writ jurisdiction under Article 226 of the Constitution of India, with a prayer to quash an order dated 02-08-2011 passed by the District Teacher Appointment Appellate Authority, Nawada (hereinafter referred to as the 'District Appellate Authority') in Complaint Case No. 129 of 2011, which was heard alongwith



Case No. 159 of 2011.

At the very outset, learned State counsel pointed out that now, Bihar State Teachers Employment Appellate Tribunal (hereinafter referred to as the 'State Appellate Tribunal') has already started functioning.

Considering the fact that the petitioner is having alternative remedy against the order of the District Appellate Authority before the State Appellate Tribunal, the Court proposes to dispose of the writ petition granting liberty to the petitioner to file an appeal before the State Appellate Tribunal.

Accordingly, the writ petition stands disposed of with an observation that if within a period of eight weeks from today the petitioner files an appeal before the State Appellate Tribunal, the State Appellate Tribunal may examine the same on merit without considering the limitation matter, since after the order of the District Appellate Authority, the petitioner had immediately approached this Court by filing the present writ petition.

The writ petition, with above observation, stands disposed of.

(Rakesh Kumar, J.)

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