

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10803 of 2011

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Kamlesh Kumar, S/O Nagendra Sharma, R/O Vill.- Panchratna, P.S.-
Ghorbanki, P.S. + Block- Basopatti, Distt.- Madhubani.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department
Govt .of Bihar, Patna.
3. The Director, (Primary Education), Department of Human Resources,
Development Department Govt. of Bihar , Patna.
4. The District Teacher Employment Appellate Authority Madhubani
through its Chairman.
5. The Member , District Education Employment Appellate Authority,
Madhubani.
6. The District Superintendent of Education , Madhubani.
7. The Block Development Officer, Block- Basopatti, Distt.- Madhubani.
8. The Block Education Extension Officer, Block - Basopatti, Distt.-
Madhubani.
9. The Mukhiya, Gram Panchayat Raj Ghorbanki, P.S. + Block- Basopatti,
Distt.- Madhubani.
10. The Panchayat -Secretary, Gram Panchayat Raj Ghorbanki, P.S. +
Block- Basopatti, Distt.- Madhubani.
11. Alok Kumar Jha, S/O Sri Narayan Jha, R/O Vill.- Ghorbanki, P.S.-
Basopatti, Distt.- Madhubani.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajendra Pd. Singh, Sr. Advocate and
Mr. Mukesh Kumar Singh, Advocate.
For the State : Mr. Kunal Tiwary, A.C. to G.A. 2.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 11-10-2017 Heard learned senior counsel for the petitioner and
learned counsel for the State.

In the present writ application, the following reliefs
have been sought for by the petitioner.

“ 1. That this is an application for
issuance of an appropriate writ (s),
order(s) or direction(s) for quashing



of the order dated 27.04.2011 passed and issued under the signature of respondent no. 5 whereby and whereunder the claim of the petitioner has been rejected and earlier order dated 25.11.2009 passed in Case No. 53/2006 has been affirmed and further for a direction to the respondent authorities not to disturb the petitioner from his post as well as to pay the salary to the petitioner on monthly basis and during the pendency of writ application may stay the operation of impugned order dated 27.04.2011 contained in Annexure-1 to this application.”

The order under challenge is passed by the District Teachers Employment Appellate Authority, Madhubani. The statutory remedy lies before the State Appellate Authority.

It is further submitted by learned senior counsel for the petitioner that the case of the petitioner is covered by the issue already decided in L.P.A. No. 984 of 2014 (Manohar Prasad Vs. The State of Bihar & Ors), decided on 06.01.2016, reported in 2016(2)PLJR 474.

Considering the submissions made on behalf of the parties, the petitioner is directed to prefer an appeal before the State Appellate Authority within a period of thirty days from the date of the order, which shall be disposed of in accordance with law within the statutory period.



With the aforesaid observations and directions, the
present writ application stands disposed of.

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(Sudhir Singh, J)

