

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.10222 of 2011**

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Arvind Kumar S/O Sri Banarasi Paswan Resident Of Village - Medini  
Chauki, P.O.-Amapur , P.S.-Medini Chauki , District - Lakhisarai .

.... .... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary Human Resources Development Department  
Govt. of Bihar, Patna.
3. The Director, Primary Education, Human Resources Development  
Department, Govt. of Bihar, Patna.
4. The District Teacher Employment Appellate Authority, Lakhisarai,  
through its Chairman . Lakhisarai.
5. The Member, District Teacher Employment Appellate Authority  
Lakhisarai.
6. The District Superintendent of Education-Cum-Sub Divisional Education  
Officer, Lakhisarai.
7. The Block Development Officer Block -Suryagarha District –  
Lakhisarai.
8. The Block Education Extension Officer, Block-Suryagarha District –  
Lakhisarai.
9. The Mukhiya Panchayat Raj , Tajpur , Block Suryagarha District –  
Lakhisarai.
10. The Panchayat Secretary Gram Panchayat Raj Tajpur Block –  
Suryagarha District – Lakhisarai.
11. The Head Master, Primary School, Tajpur Bhirha, Chandra Tola,  
Block Suryagarha District – Lakhisarai.
12. Sambhu Kumar, S/O Ram Balak Paswan, residence of Village –  
Salarpur , P.S.- Medinichal , District – Lakhisarai.
13. Narayan Choudhary, S/O Dukh Haran Choudhary, resident of Village  
– Salarpur , P.S.-Medinichal , District – Lakhisarai.

.... .... 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**

6      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 contained in Memo No. 806 dated 16.09.2010 passed by the respondent no. 5 in Appeal Case No. 95/09-10 whereby and whereunder an order has been given to cancel the appointment of last appointed candidate in the Scheduled Caste (SC) category and in place of that an Extremely Backward Class (EBC) candidate should be appointed and further for direction to quash the Letter No. 01 dated 20.02.2010 issued under the signature of respondent no. 10 whereby and whereunder a direction has been issued to respondent no. 11 not to allow the petitioner to put his signature in attendance register and further for a direction to the respondents not to disturb the petitioner from his present place of working and further to pay the arrears of salary as well as current salary to the petitioner.”

The order under challenge is passed by the District Teachers Employment Appellate Authority, Lakhisarai. 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.

U.K./-

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**(Sudhir Singh, J)**

