

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18195 of 2010

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1. Arvind Chaudhary S/O Sri Shaukin Chaudhary R/O Uber, P.O.Uber,
P.S.Ghosi, Distt-Jehanabad
2. Bhaskar Uberia S/O Sri Krishna Singh R/O Uber, P.O.Uber, P.S.Ghosi,
Distt-Jehanabad

.... Petitioners

Versus

1. The State of Bihar
2. The Secretary, Human Resources Development Department, Bihar, Patna
3. The District Magistrate Jehanabad
4. The District Superintendent of Education, Jehanabad
5. The Block Education Extension Officer Ghosi (North),Jehanabad
6. The Mukhiya Gram Panchayat Uber, Ghosi, Block-Jehanabad
7. The Secretary-Cum-Panchayat Sevak, Gram Panchayat Uber, Ghosi,
Jehanabad
8. The Chairman, Sukh Suvidha Samiti Gram Panchayat Uber,Ghosi,
Jehanabad
9. Sudhir Paswan, son of Ram Lakhan Paswan, r/o village- Uber, P.S.
Ghosi, District- Jehanabad

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Bajrangi Lal, Adv.
Mr. Birendra Kumar, Adv.
For the Respondent/s : Mr. AC to GA-3

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 23-05-2017 Heard Sri Bajrangi Lal, learned counsel, assisted

by Sri Birendra Kumar, learned counsel for the petitioners and

learned AC to Govt. Advocate no.3.

Two petitioners have approached this Court,
invoking its writ jurisdiction under Article 226 of the
Constitution of India, with a prayer to quash an order dated
29.03.2010 passed by the District Teacher Employment
Appellate Tribunal, Jehanabad (hereinafter referred to as the



District Appellate Tribunal) in Case no.376 of 2009. By the said order, the District Appellate Tribunal has confirmed the order of the District Magistrate, whereby appointment of the petitioners as Panchayat Teacher was cancelled.

During pendency of the writ petition, as submitted by learned State Counsel, Bihar State Teachers Employment Appellate Tribunal (hereinafter referred to as the “State Appellate Tribunal”) has already started functioning.

Keeping in view the fact that the order of the District Appellate Tribunal is appealable before the State Appellate Tribunal, the Court proposes to dispose of the writ petition granting liberty to the petitioners to approach the State Appellate Tribunal.

Accordingly, the Writ petition stands disposed of.

It goes without saying that if petitioners file an appeal before the State Appellate Tribunal within a period of six weeks from today, the same may be examined on merit without going on the question of limitation since immediately after the order of the District Appellate Tribunal, the petitioners had approached this Court by filing the present writ petition in the year 2010.



With above observation, the writ petition stands
disposed of.

(Rakesh Kumar, J)

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