

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5371 of 2014

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Mamta Kumari D/O Sri Thakur Prasad Singh, W/O Birtendra Singh
Resident Of Village - Fakarabad, P.O. Sikanderpur, Panchayat Isiyan Block,
P.S. Chainpur, District - Kaimur At Bhabhua

.... Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Govt. Of Bihar, Patna
3. The Member District Teacher Employment Appellate Tribunal, Kaimur At Bhabhua
4. The District Education Officer, Kaimur At Bhabhua
5. The District Programme Officer (Establishment), Kaimur At Bhabhua
6. The Block Education Extension Officer, Chainpur, Distt. - Kaimur At Bhabhua
7. The Panchayat Secretary, Gram Panchayat Isiyan, Block - Chainpur, District - Kaimur At Bhabhua
8. The Mukhiya, Gram Panchayat - Isiyan, Block - Chainpur, District - Kaimur At Bhabhua
9. The Vidyawati Patel D/O Jagat Narayan Singh Resident Of Village - Ekhlaspur, P.O. Akhlaspur, P.S. Bhabhua, District - Kaimur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh
For the Respondent No.9: Mr. Kumar Sunil, Advocate.
For the State : Mr. Syed Iqbal Ahmad, SC-20

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 06-11-2017 The petitioner, in the present writ application has sought for direction upon the respondents for quashing the order dated 19.02.2014, passed by the District Teachers Employment Appellate Authority, Kaimur, in Appeal no. 08 of 2013, by which the appointment of the petitioner as Panchayat Teacher has been cancelled with direction to appoint the respondent no.9 in place of the petitioner.

It has been submitted on behalf of the petitioner that the



petitioner was appointed as a Panchayat Teacher, in the year 2007. The private respondent filed a complaint before the District Appellate Authority, in the year 2011, which was beyond the statutory period. Hence the complaint, which was barred by limitation, ought not to have been entertained by the appellate authority but the District Appellate Authority, considering the complaint made by the private respondent, has directed for termination of the services of the petitioner. Hence, the order under challenge is of the District Appellate Authority, in the present writ application.

The appropriate remedy of the petitioner is before the State Appellate Authority. The petitioner is directed to file an appeal before the State Appellate Authority, within a period of 30 days, which shall be disposed of by the State Appellate Authority, in accordance with law, within the statutory period.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

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