

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1961 of 2011

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Sanjay Kumar, S/O Sri Madan Bind, R/O Vill.- Begumchak, P.O.-
Gangachak, P.S- Masaurhi, Distt.- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department,
Govt. of Bihar, Patna.
3. The District Teachers Employment Appellate Authority, Patna through
its Member.
4. The District Magistrate, Patna.
5. The District Superintendent of Education, Patna.
6. The Block Development Officer, Masaurhi, Patna.
7. The Block Education Extension Officer, Masaurhi, Patna.
8. The Mukhiya, Gram Panchayat Raj Kharant, Block Masaurhi Distt.-
Patna.
9. The Panchayat Secretary, Gram Panchayat Raj Kharant Block
Masaurhi, Distt.- Patna.
10. Sri Rajnish Kumar, S/O Sri Ashok Singh, R/O Vill.- Poawan, P.S.-
Masaurhi, Distt.- Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajendra Prasad Singh, Sr. Advocate and
Mr. Mukesh Kumar Singh, Advocate.
For the State : Mrs. Manisha Singh, Advocate.
For the R. No. 10 : Mr. Satya Deo Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

9 11-10-2017 Heard learned senior counsel for the petitioner and
learned counsel for the respondents.

In the present writ application, the following reliefs
have been sought for on behalf of the petitioner.

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



Memo No. 605 dated 13.10.2010 issued by the respondent no. 3 whereby and whereunder the respondent no. 3 has recommended for cancellation of appointment of the petitioner from the post of Panchayat Shikshak and also for payment of salary to the petitioner which has illegally been stopped w.e.f. August 2008 to till date and further during the pendency of the instant writ application, the order passed by respondent no. 3 contained in Memo No. 605 dated 13.10.2010, may remain stayed”.

In the present writ application, the petitioner has challenged the order passed by the District Teachers Employment Appellate Authority, Patna. The statutory remedy is already available before the petitioner for filing an appeal before the State Appellate Authority against the order passed by the District Teachers Employment Appellate Authority, Patna.

Learned senior counsel for the petitioner has further relied upon the order passed in C.W.J.C. No. 8846 of 2011 dated 31.08.2017 and in the case of (Renu Kumari Pandey Vs. The State of Bihar & Ors.) reported in 2011(4) PLJR 297 and in the case of (Kalpana Rani Vs. The State of Bihar & Ors.) reported in 2014(2)PLJR 665.

The petitioner is directed to file 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.

The State Appellate Authority is directed to consider the decisions of this Court, which have been relied upon by learned senior counsel for the petitioner before passing the order.

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

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(Sudhir Singh, J)

