

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17366 of 2016

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Sanjay Kumar Tiwary, S/o Sri Amar Nath Tiwary R/o Village- Rampur, P.O.-
Manikpur, P.S.- Meniya, District- Balia, At present village- Bikrampur, Daria,
P.O.- Patar, P.S.- Raghunathpur, District- Siwan.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Secondary Education, Human Resources
Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Human Resources Department, Govt. of
Bihar, Patna.
4. The District Teachers Employment Appellate Tribunal, Siwan.
5. The District Education officer, Siwan.
6. The District Programme Officer, Establishment Education, Siwan.
7. The Block Development officer-cum Secretary, Block Employment
Committee, Ander, District- Siwan.
8. The Block Education officer, Ander, District- Siwan.
9. Satish Kumar Singh, S/o Sri Uma Shankar Singh, R/o Village- Kajipatia, P.O.-
Nandapur Amwari, P.S.- M.H. Nagar, District- Siwan.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Udit Narain Singh, Advocate
For the Respondents : Mr. Kameshwar Kumar- GP17

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-11-2018 Learned counsel for the State while raising objection regarding maintainability of the writ petition submits that as per Rule 13 of the Bihar Rajya Vidyalaya Shikshak & Karmchari Shikayat Nivaran Niyamavali, 2013 vide resolution no. 1880 dated 20.12.2013 of the Education Department, Bihar, it is mandatory provision that if any teacher is aggrieved by the order of recruitment/Niyोजan Unit, he/she has to approach the District Appellate Authority.

In view of such objection, learned counsel for the



petitioner seeks permission to withdraw the writ petition with liberty to the petitioner to approach the District Appellate Authority.

The writ petition is dismissed as withdrawn with the liberty aforesaid.

Needless to say that it will be open to the petitioner to raise the issue of pendency of the instant proceedings to meet the ground of delay before the District Appellate Authority.

(Madhuresh Prasad, J)

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