

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16933 of 2016

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Babi Kumari Wife of Ganesh Singh Daughter of Shiv Shankar Singh,
Resident of Village- Bhalua P.S.- Badhariya District- Siwan

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The District Education Officer, Siwan.
4. The District Teachers Appellate Employment Authority, Siwan.
5. The Sub Divisional Officer, Siwan.
6. The Block Development Officer, Badhariya, Siwan.
7. The Panchayat Secretary, Gram Panchayat Raj, Bahuara Kadir, Block- Badharia, P.S.- Badhariya, Siwan.
8. The Mukhiya, Gram Panchayat Raj, Bahuara Kadir, Block- Badharia, P.S.- Badhariya, Siwan.
9. Smt. Nita Kumari, Wife of Ram Manohar Singh, Resident of Village- Bhalua, P.S. Badhariya, District- Siwan.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar, Advocate
For the Respondents : Mr. Arbind Kumar Singh, AC to Gp20

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-11-2018 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/Niyojan 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The writ petition is dismissed as withdrawn with the liberty aforesaid.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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