

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3700 of 2016

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Binod Kumar Son of Surya Narayan Mandal, Resident of Village - Basaha,
P.S. - Pipra, District - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The District Magistrate, Supaul.
3. The Presiding Officer, District Appellate Authority, Supaul.
4. The Prakhanda Vikas Padadhikari, Pipra Prakhanda, District Supaul.
5. The Block Education Extension Officer, Pipra Prakhanda District - Supaul.
6. The Panchayat Secretary, Gram Panchayat Raj, Hulas, P.S. - Pipra, District - Supaul.
7. The Mukhiya, Gram Panchayat Raj Hulas, P.S. - Pipra, District - Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar
For the Respondent/s : Mr. P.K. Verma- Aag5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 26-03-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Learned counsel for the petitioner with reference
Annexure-2 submits that the case of the petitioner was
dismissed on the ground of limitation. The District Teachers
Employment Appellate Authority has not examined the merit of
the claim of the petitioner.

Learned counsel appearing on behalf of the State
submits that petitioner has statutory forum in the nature of State
Appellate Authority, in case, the petitioner files such appeal for
redressal of his grievance the State Appellate Authority may



decide appeal on merit also.

In view of the above, the writ petition is disposed of with liberty to the petitioner to file appeal before the State Appellate Authority who shall examine the claim of the petitioner in accordance with law on its own merit and will not dismiss the appeal on the ground of delay.

The Appellate Authority is expected to hear all the persons likely to be adversely affected before passing order in the appeal in view of the fact that the writ petition filed by the petitioner remain pending for more than two years in this court.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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