

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16965 of 2016

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Anju Kumari Wife of Akhilesh Kumar, Resident of Village Mishar Bigha,
P.O. Sadabad, Police Station- Kako, District- Jehanabad.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The Director, Department of Education (Primary) Bihar, Patna.
3. The District Education Officer, Jehanabad. null null
4. The District Programme officer, Jehanabad. null null
5. The Presiding officer, District Appellate Authority, Jehanabad. null null
6. The Block Education Officer, Kako, District- Jehanabad. null null
7. The Mukhiya Gram Panchayat Damuhan, Anchal Kako, District- Jehanabad.
8. The Panchayat Secretary, Gram Panchayat Damuhan, Anchal Kako, District- Jehanabad.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Binod Kumar, Advocate

For the Respondents : Mr. Jitendra Kumar Roy-Sc13

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The writ petition is dismissed as withdrawn with the liberty aforesaid.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