

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12603 of 2009

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Sunil Kumar Ray, son of Shri Ram Babu Ray, resident of Village- Fatehpur, P.O.- Anjani, Police Station- Parsa, District- Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Teacher Employment Appellate Authority, Saran at Chapra.
3. The District Magistrate, Saran at Chapra.
4. The Block Development Officer, Parsa, District- Saran.
5. The Block Education Extension Officer, Parsa, District- Saran
6. The Mukhiya, Gram Panchayat Raj, Anjani, Block- Parsa, District- Saran
7. The Panchayat Secretary, Gram Panchayat Raj, Anjani, Block- Parsa, District- Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gyan Prakash, Advocate

For the Respondent/s : Mr. (SC8)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 14-08-2018

Learned counsel appearing on behalf of the petitioner submits that now the Statutory Appeal is available against the decision of the District Teachers Appellate Authority, he may be granted liberty to exhaust the alternative remedy, as he may have opportunity to assist on fact as well as on law whereas the scope of judicial review is limited.

Under the aforesaid circumstance, the writ application is disposed of with liberty to the petitioner to approach the State Appellate Authority, which is now functional, against the decision of the District Teachers Appellate Authority.

In case, such appeal is filed by the petitioner within a



period of one month from today along with a copy of this order, the State Appellate Authority is expected to decide the appeal in accordance with law on its own merit after condoning the delay, if any, in filing the appeal in view of the fact that the present writ application remained pending since 2009 and now the Appellate Forum is available as subsequent forum for scrutiny of fact.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.08.2018
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