

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17048 of 2016

=====

Ram Kumar Mahto s/o Gulo Mahto, resident of village- Shahapur, P.O.-
Bhoja, P.S.- Khodabandpur, District- Begusarai Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Dept. of Education, Patna, Bihar.
 2. The Secretary, Secondary, Primary and Adult Education, Govt. of Bihar, Patna.
 3. The District Magistrate, Begusarai.
 4. The District Superintendent of Education, Begusarai.
 5. The Block Development Officer, Chhourahi Block, Distt.- Begusarai.
 6. The Block Education Officer (B.E.O.), Chhaurahi Block, Distt.- Begusarai.
 7. The Headmaster, Middle School, Shahapur Patla, Block- Chhaurahi, Distt.- Begusarai.
 8. The Panchayat Secretary, Gram Panchayat Raj Shahpur, Block- Chhaurahi, Distt.- Begusarai.
 9. The Mukhiya, Gram Panchayat Raj Shahpur, Block- Chhaurahi, Distt.- Begusarai ... Respondents
- =====

Appearance :

For the Petitioner : Mr. Abhay Shankar Singh, Advocate
For the Respondents : Mr. Subhash Chandra Mishra- Sc16

=====

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The writ petition is dismissed as withdrawn with the liberty aforesaid.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

(Madhuresh Prasad, J)

Shashi

U			
---	--	--	--

