

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 10910 of 2015

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1. Sunita Kumari, D/o- Sri Kamala Rai, Resident of Village- Goharua, Post- Guthani, District- Siwan.
 2. Anita Kumari, D/o- Sri Bhagawati Rai, Resident of Village and Post- Bharauli, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Primary Education, H.R.D., Patna, Bihar.
3. The District Education Officer, Siwan.
4. The District Program Officer (Establishment), District- Siwan.
5. The Block Education Officer, Andar, District-Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Nath,
Mr. Binod Kumar and
Mr. Swami Parth Sarthi, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 17-09-2018

Heard learned counsel for the petitioners and the State.

2. The petitioners have moved the Court for the following reliefs:

“That the present writ petition is being preferred for the issuance of an appropriate writ/writs, order/orders, direction/directions for commanding the respondents to pay the payment of salary which is dues since several months and which is not being paid by the respondents authorities after repeated request made by the petitioners for the same and for the other necessary relief/reliefs to the basis of the facts and circumstances of the case as enumerated and stated hereinafter.”

3. Learned counsel for the State submitted that there is already a statutory forum existing for the petitioners by way of a



District Teachers Appellate Authority which can consider the prayer of the petitioners as they are Panchayat Teachers.

4. Such position is not disputed by learned counsel for the petitioners.

5. Having regard to the aforesaid, when there is an alternative forum existing, which though may not be a bar to exercise of jurisdiction by a writ Court, still, when such forum is created to reduce the volume of litigation before the superior Courts including the High Court, this Court considers that the petitioners, at the first instance, ought to move before the said forum, which is equally efficacious and adequate.

6. Accordingly, the writ petition stands disposed off with liberty to the petitioners to move before the District Teachers Employment Appellate Authority, Siwan (hereinafter referred to as the ‘Authority’).

7. If the same is done within four weeks from today, the Authority shall consider and decide the matter on merits expeditiously and within the statutory period.

(Ahsanuddin Amanullah, J.)

P. Kumar

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