

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4476 of 2018

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Navin Kumar Singh, Son of Awadhesh Kumar Singh, Resident of Village-Kabirpur Ujjaintolla, P.O. Sidhwaliya, P.S. Mohammadpur, Dist. Gopalganj, Presently Posted as Panchayat teacher new Created Primary School Jay Ram Das K tolla Bucheya gram Panchayat Raj Bucheya, P.S. Sidhwaliya, District-Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary Bihar at Patna
3. The Principal Secondary Education New Secretariat Bihar at Patna.
4. The Director Primary Education Bihar at Patna.
5. The Regional deputy Director Saran at Chapra.
6. The District Magistrate, Gopalganj.
7. The District Education Officer, Gopalganj.
8. The District Programme Officer, (Establishment), Gopalganj.
9. The Block Development Officer, Sidhwaliya, District-Gopalganj.
10. The Block Education Officer Sidhwaliya, District-Gopalganj.
11. The Headmaster New Created Primary School Jay Ram K tolla Bucheya P.O. Sidhwaliya, District-Gopalganj.
12. The Mukhiya, Gram Panchayat Raj, Bucheya, Block Sidhwaliya, District-Gopalganj.
13. The Panchayat Secretary, Gram Panchayat Raj Bucheya Block Sidhwaliya, District-Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Shrivastwa, Advocate

For the Respondent/s : Smt. Shilpa Singh, GA12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 16-05-2018

Heard learned counsel for the petitioner and State.

2. Notwithstanding the decision in favour of the petitioner by the District Teachers Employment Appellate Authority, the respondents are sitting tight over the matter and denied payment of salary to the petitioner.

3. The Court fails to understand why the authorities of the respondent are sitting tight over the matter against the decision of



the District Teachers Employment Appellate Authority.

4. In a system governed by rule of law, everyone is supposed to act within the limits of the power, jurisdiction and authority and administrative officers are not suppose to encroach upon the power of quasi judicial authority and refused to implement the direction. They cannot exercise the jurisdiction, which is never vested in them, in the instant case, when the competent authority has passed the order, the remedies lies either before the State Appellate Authority or the Court or Forum, but instead of taking the matter to the State Appellate Authority and the competent court and forum, they are sitting tight over the matter, which is impermissible.

5. In the aforesaid circumstances, the respondents are directed to implement the order of the District Teachers Employment Appellate Authority contained in Annexure-4 in its true letter and spirit within a maximum period of 60 days from the date of receipt/production of a copy of this order.

6. The writ application is allowed to the extent indicated hereinabove.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.05.2018
Transmission Date	

