

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12305 of 2006

Vijay Kumar son of Shri Shatrughan Kumar Bhagat resident of village Ranti
P.O. Ranti P.S. Raj Nagar District Madhubani.

... .. Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Madhubani, District Madhubani.
3. The District Superintendent of Education Madhubani, District Madhubani.
4. The Sub-Divisional officer, Madhubani District Madhubani
5. The Block Education Extension officer, Rajnagar District Madhubani.
6. The Mukhia ,Gram Panchayat Raj Ranti Block-Raj Nagar District Madhubani.
7. The Head Master, Raj Kiyakrit Primary School, Paliwar, Block Raj Nagar District Madhubani.
8. Birendra Kamat son of Sri Mahendra Kamat resident of village Ranti P. S. Rajnagar, District Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bishwanath Pd. Singh, Sr. Advocate with Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Anil Kumar AC to SC-8
For the Respondent no.8	:	Mr. Anant Kumar Bhaskar, with Mr. S.K.Jha Advocates

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 08-11-2019

Heard learned counsel for the petitioner,
learned counsel for the State as well as learned
counsel for the respondent No.8

2.The parties are in agreement that issues
raised in the instant proceedings stand decided by
the District Teachers Employment Appellate
Tribunal, Madhubani by its order dated 29.7.2010
(Annexure-12). The Same is now amenable to the



Bihar State Appellate Authority.

3. Counsel for the private respondent raises an objection that since petitioner was not a party, the petitioner would have no *locus* to assail the same before the State Forum. The issue regarding the petitioner's *locus*, having regard to the fact that he is effected by the order, is yet to be decided by the State Tribunal.

4. In the circumstances, without expressing any opinion on the merits of the claims set forth by either side, the writ petition is being disposed off with liberty to the petitioner to assail the order of the District Teachers Employment Appellate Authority, Madhubani, before the State Forum. The petitioner should approach the Authority within a period of four (04) weeks. It would be open to the private respondent to appear before the Authority expeditiously to facilitate disposal of the same.

5. The writ petition stands disposed off with the liberty as aforesaid. The petitioner would be also at liberty to raise the pendency of the instant proceedings to meet issue of delay before the



State Forum.

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	N/A
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