

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.256 of 2020**

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Anjum Aara Wife of Md. Mohsin Akaram, Resident of village Paschim tola  
Ninga, Ward No. 7, P.S. Barauni, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Human Resources Development Department, Bihar, Patna.
2. The District Programme Officer (Est), Begusarai.
3. The District Education Officer, Begusarai,
4. The Block Education Officer, Block- Brarauni, Begusarai.
5. The Mukhiya Gram Panchayat Raj Ninga, Block- Barauni, District- Begusarai.
6. The Panchayat Secretary Gram Panchayat Raj Niga, Block- Barauni , District- Begusarai.
7. Nujhat Praveen, Panchayat teacher, Upgraded Urdu Middle School Niga Under Gram Panchayat Niga, Gram Panchayat Raj Niga, Block- Barauni, District- Begusarai, Pin code- 851112

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjay Prasad  
For the Respondent/s : Mr. Smt. Shilpa Singh (GA12)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      18-01-2020                      Heard both sides.

The petitioner, in this writ petition, seeks quashing of the order dated 05.11.2018 (Annexure-8) of the Employment Unit by which the Employment Unit of Panchayat rejected the petition of the petitioner that on account of some error letter of appointment was issued to the petitioner but later on the error was rectified and consequently, Nujhat Praveen, respondent No.7 has been appointed.



The learned counsel for the petitioner submits that against the order of cancellation of appointment of petitioner the petitioner moved before the District Teacher Employment Appellate Authority. The District Teacher Employment Appellate Authority rejected the petition of the petitioner against which the petitioner filed CWJC No. 7561 of 2014 and this court vide order dated 28.11.2017 directed the petitioner to file appeal against the order of the District Teacher Employment Appellate Authority before the State Appellate Authority. The petitioner filed Appeal No. 211 of 2018 and by order dated 06.08.2018 the learned Chairman, State Appellate Authority set aside the order of the District Teacher Employment Appellate Authority and directed the Employment Unit to hear the petitioner afresh and pass order in accordance with law. On such, the Employment Unit by order dated 05.11.2018 (Annexure-8) considered the case of the petitioner and found allegation of change of counseling register false. The respondent No.7 got higher marks and on the basis of which the mistake was rectified and respondent No.7 was appointed in place of the petitioner. There is provision of appeal against the order of Employment Unit before the District Teacher Employment Appellate Authority and thereafter there is provision of appeal



before the State Appellate Authority but the petitioner has straightway filed this writ petition. Therefore, I am not inclined to interfere in this writ petition as the petitioner has got alternative and efficacious remedy by way of appeal before the District Teacher Employment Appellate Authority.

The learned counsel for the petitioner submits that he may be permitted to withdraw this writ petition with a liberty to present the appeal before the District Teacher Employment Appellate Authority.

Accordingly, this writ petition is disposed of with a liberty to the petitioner to present appeal before the District Teacher Employment Appellate Authority, Begusarai within 30 days from the date of receipt of the order and on such the District Teacher Employment Appellate Authority shall dispose of the appeal of the petitioner on merit.

With the aforesaid direction, this writ petition is disposed of.

**(Prabhat Kumar Jha, J)**

BKS/-

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