

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6235 of 2016

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Awadh Kishor Prasad Son of late Rameshwar Prasad Resident of Village-
Keshopur, PS Telhara, District Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department Bihar, Patna.
3. The District Magistrate, Jehanabad.
4. The District Programme OfficerEst, Jehanabad.
5. The Block Education Extension Officer, Modanganj, Jehanabad.
6. The Mukhiya, Gram Panchayat , Modanganj, Jehanabad.
7. The District Appellate Authority , Jehanabad.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7401 of 2016

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Sunil Kumar Keshri son of Kishori Lal Keshri resident of Village Post Office
- Modanganj, Police Station - Ghoshi, District - Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Teachers Appointment Appellate Authority, Jehanabad.
3. The District Education Officer, Jehanabad.
4. The District Programme Officer Establishment, Jehanabad.
5. The Block Education Development Officer, Modanganj, Jehanabad.
6. The Panchayat Selection Committee, Modanganj, Panchayat, Block
Modanganj, District - Jehanabad thro
7. The Mukhiya, Modanganj Panchayat, Block Modanganj, District -
Jehanabad.
8. Awadh Kishore Prasad son of Late Rameshwar Prasad resident of Village -
Keshopur, Police Station - Telhara, District - Nalanda.

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 6235 of 2016)

For the Petitioner/s : Mr.Sanjay Kumar No.1, Adv.

For the State : Mr. Gyan Shankar, Adv.

(In Civil Writ Jurisdiction Case No. 7401 of 2016)

For the Petitioner/s : Mr.Narendra Kumar, Adv.

For the State : Mr. Mahendra Pd. Verma, AC to SC 20



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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

7 16-08-2022

1. Heard the parties.

2. The writ petitions have been preferred before this Court assailing the order of the District Appellate Authority. It is stated by the learned counsels that in 2016, when the writ petitions were preferred, the said State Appellate Authority was not functioning and, therefore, the writ petitions were being entertained. However, presently the State Appellate Authority is functioning and both the learned counsels fairly state that the directions be issued for timely disposal of the appeals and they would prefer appeal before the State Appellate Authority against the order which is under challenge before this Court.

3. Learned counsels appearing for the respondents submits that they have taken a preliminary objection with regard to maintainability of writ petitions in view of statutory provision of filing of appeal before the State Appellate Authority.

4. I have considered the submission, taking into consideration that the writ petitions involves several questions which touch the factual aspects, it would be in the interest of justice that both the writ petitions are disposed of with liberty to the respective petitioners to prefer an appeal before the State



Appellate Authority and if such an appeal is preferred within 15 days, the State Appellate Authority is directed to examine the merits of the case without delving into the question of limitations as petition has remained pending before the Court since 2016. Appeals so preferred may be decided expeditiously preferably within a period of six months.

5. With the aforesaid observations, both the writ petitions are disposed of.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

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