

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2951 of 2013

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Ramadya Kumar S/O - Late Tulsi Roy Resident of Village - Sripur Bhorhar,
P.S. - Ghorasahan, P.O. - Kawaiya, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Teachers Employment Appellate Authority, East Champaran, Motihari Through Its Member
3. The District Magistrate, East Champaran, Motihari
4. The District Superintendent Of Education, East Champaran, Motihari
5. The Block Development Officer, Ghorasahan, East Champaran, Motihari
6. The Civil Surgeon-Cum-Chief Medical Officer, East Champaran, Motihari
7. The Medical Board, Constituted For Examination Of Disablement Of Shashi Bhushan Prasad Singh, Represented Through The Civil Surgeon-Cum-Chief Medical Officer, East Champaran, Motihari
8. The Mukhiya, Panchayat Raj - Vijayee Within The Block - Ghorasahan, District - East Champaran
9. The Panchayat Secretary Of Selection Process Of Asstt. Teachers Of Vijayee Panchayat 2006 Panchayat Raj - Vijayee, Block - Ghorasahan, District - East Champaran
10. Mr. Shashi Bhushan Prasad S/O - Ramashish Prasad Resident Of Village - Kadamwa Yadav Tola, P.O. - Kadamwa, P.S. - Ghorasahan, District - East Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava, Advocate
For the Respondent/s : Mr. Ajay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

10 31-10-2023 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The petitioner has filed the instant application for the
following reliefs:

*“To issue a writ in the nature of certiorari
for quashing of the order dated 13.12.2012*



passed by the Respondent No. 2 in connection with Case No. 706 of 2010, by which the Respondent No. 2 was pleased to dismiss the appeal of the petitioner without ascertaining the factual correctness and the documentary evidence, pertaining to the certificate of physical disablement.

II. To issue a writ in the nature of certiorari for quashing of the order dated 13.12.2012 passed by the Respondent No. 2 in connection with Case No. 706 of 2010, by which the Respondent No. 2 was pleased to dismiss the appeal of the petitioner without considering and verifying the marks obtained by the petitioner, resulting thereof, despite of the fact that the certificate of the physical disablement of the Respondent No. 10 was obviously lesser than the petitioner.

III. To stay the operational effect of the order dated 13.12.2012 passed by the Respondent No. 2 in connection with Case No. 706 of 2010.

IV. To issue a writ in the nature of mandamus commanding the Respondents No. 8 & 9 to appoint the petitioner to the post of Panchayat Teacher.”

At the outset, learned counsel for the respondents submits that the petitioner has an alternate and efficacious remedy of moving before the State Teachers Appointment Appellate Authority.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the



respondents, the petitioner is granted liberty to move before the State Teachers Appointment Appellate Authority for the relief prayed for in the instant application.

In case, the application before the appellate authority is filed within a period of four weeks from today, the authority shall take into consideration the period for which the instant writ application was pending before this Court and proceed to decide the application on its own merits.

With the observations and directions, this application stands disposed of.

(Partha Sarthy, J)

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