

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13637 of 2022

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1. Sarita Kumari @ Sarita Devi Prem Kumar Prasad, Resident of Village-Musehari, Police Station - Jamo Bazar, District - Siwan.
 2. Anuj Singh, Son of Amarjit Singh, resident of village - Mirzapur, Police Station - Goreyakothi, District - Siwan.
 3. Ghanshyam Tiwari, Son of Harishankar Tiwari, resident of village - Hulas Chapra, Police Station - Goreyakothi, District - Siwan.
 4. Manoj Kumar Singh, Son of Yogendra Singh, resident of village - Hariharpur (Kala), Police Station - Goreyakothi, District - Siwan.
 5. Ajit Kumar Singh, Son of Shri Thakur Singh, resident of village - Hariharpur (Kala), Police Station - Goreyakothi, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Siwan.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment) Siwan.
7. The Chairman of Block Employment Committee - cum-Prakhand Pramukh, Goreyakothi, District - Siwan.
8. The Block Development Officer, Goreyakothi, Siwan.
9. The Block Panchayati Raj Officer, Goreyakothi, Siwan.
10. The Block Education Officer, Goreyakothi, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr. Kameshwar Kumar, GP 17

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

ORAL ORDER

- 3 22-02-2023 1. Learned counsel for the petitioner prays to allow him to move appropriate application before the concerned District Teachers Appellate Authority under **Rule 16** of the



Rules of 2020 for initiating action for non-compliance of its orders. The **Rule 16** of the **Rules of 2020** which is read as under:

“16. Power to impose Punishment:-

In case of non-compliance of the order/direction or in case of any complaints by the party for compliance of the order:-

(i) The Appellate Authority shall impose punishment against-concerned party but he will be given adequate opportunity of hearing before imposing punishment.

(ii) The Appellate Authority may impose penalty upto Rs. 50,000/- (Fifty thousand only) upon the answerable party. The amount of penalty shall be deposited in the Treasury under the head indicated by the Department. The amount of penalty shall be recoverable by way of Public demand.

(iii) The Appellate Authority shall have jurisdiction to make recommendation to the concerned Department to initiate Departmental proceeding or to take necessary action against the delinquent employee under the provisions of Bihar Service Code/Bihar Panchayat Raj Act 2006/Bihar Municipal Act 2007 and other relevant provisions.”

2. In view of the above, the concerned District



Teachers Appellate Authority has power to get its orders implemented and also take action against the concerned defaulting officers including imposing of fine.

3. Granting the petitioner liberty to take up the matter before the concerned District Teachers Appellate Authority.

4. Accordingly, the writ petition is disposed of as not maintainable.

Suraj/-
Item No. 33

(Sanjeev Prakash Sharma, J)

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