

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2458 of 2024

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1. Ranjeet Kumar S/o-Sri Narayan Mehta R/o-At and P.O.- Tengraha, P.S.- Bheja, District- Madhubani
 2. Rajesh Kumar S/o Rajdev Yadav R/o-Vill-Kamataul, Tole-Pachgachhiya, P.O.-Phulhar, P.S.-Harlakhi, District-Madhubani.
 3. Pushpa Kumari W/o-Akhilesh Kumar Singh R/o-At, P.O. and P.S.-Sonai, District-Madhubani
 4. Munni Kumari W/o-Mahesh Chandra Paswan R/o-At, P.O. and P.S.- Baingra,, District-Madhubani
 5. Hira Singh S/o-Badari Singh R/o-Vill-Sonai, P.O. Sonai, P.S.-Khirhar, District-Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through The Additional Chief Secretary Education,Bihar, Patna.
2. The Director, Primary Education Department, Bihar, Patna.
3. The District Education Officer, District-Madhubani.
4. The District Programme Officer, (Estt.) Madhubani.
5. The Block Education Officer, Block-Madhwapur, District-Madhubani.
6. The Mukhiya, Gram Panchayat Raj Pihhwara, Block-Madhwapur, District-Madhubani.
7. The Panchayat Secreary, Gram Panchayat Raj Pihhwara, Block-Madhwapur, District-Madhubani.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Rajeev Kumar Singh, Advocate
For the State	:	Mr. Standing Counsel 09, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-10-2024 Heard learned counsels for the parties.

2. This writ application has been filed for issuance of an appropriate writ to the respondents to pay the arrears of salary to the petitioners from September, 2022 till today with appropriate statutory interest.



3. At the outset, learned counsel appearing on behalf of the State raises preliminary objection to the maintainability of this writ application and submits that petitioners have already filed appeals bearing Appeal No. 64 of 2023 and Appeal No. 66 of 2023 before the District Teachers Appellate Authority, Madhubani on 15.12.2023 for payment of their due salaries, current salary and further for declaration of their valid appointments.

4. Learned counsel appearing on behalf of the petitioner does not dispute the above contentions.

5. In this regard, the Supreme Court, in the case of ***Satya Pal Anand versus State of Madhya Pradesh and Others*** reported in ***2016 (10) SCC 767***, has observed as follows:-

“Pursuance of multiple remedy for same relief before different fora renders the petition non-maintainable.”

6. In the present case, the petitioners have already filed an appeal before the District Teachers Appellate Authority, Madhubani and the same is still pending for adjudication.

7. In that view of the aforesaid facts and circumstances of the case, this Court does not think it appropriate to interfere in the matter.

8. Accordingly, this writ application is disposed of



with direction to the petitioners to pursue their appeal which has already been filed before the District Teachers Appellate Authority, Madhubani.

(Prabhat Kumar Singh, J)

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