

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4582 of 2024

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Kundan Kumar Son of Musharu Yadav, Resident of Village - Sahpur, Post
Office- Sahpur, Police Station - Sonbarsa Raj, District – Saharsa

... .. Petitioner/s

Versus

- 1 . The State of Bihar through Additional Chief Secretary, Education Department, Government of Bihar, Patna.
- 2 . The Secretary, Education Department, Government of Bihar, Patna.
- 3 . The Director, Primary Education, Education Department, Government of Bihar, Patna.
- 4 . The District Magistrate, Saharsa.
- 5 . The District Education Officer, Saharsa.
- 6 . The District Programme Officer, Saharsa.
- 7 . The Block Education Officer, Sour Bazar, District - Saharsa.
- 8 . The Persisting Officer, District Appellate Authority, Saharsa.
- 9 . The Mukhiya, Gram Panchayat, Kanp East - cum-Chairman, Teacher Employment Committee, Kamp East, Police Station - Sour Bazar, District - Saharsa.
- 10 . Panchayat Secretary, Gram Panchayat Kanp East, Police Station- Sour Bazar, District - Saharsa.
- 11 . Rakesh Kumar Munna, Son of Mahendra Prasad Yadav, Resident of Village- Kaup, Post Office - Kanp, Gram Panchayat- Kaup (East), Police Station - Sour Bazar, District- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad , Advocate
For the Respondent/s : Mr. Standing Counsel (16)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-10-2024 Heard learned counsel for the parties.

2. The present application has been filed for quashing the order dated 24.01.2024 passed by the District Appellate Authority, Saharsa in Appeal Case No. 31 of 2016 by which appointment of this petitioner has been cancelled.

3 . At the outset, learned counsel for the State appears



and raises preliminary objection with regard to the maintainability of this writ application on the ground that petitioner has got alternative remedy before the State Appellate Authority. He further submits that no reason has been assigned, as to why this writ application shall be heard by this Hon'ble High Court, even when alternative remedy to move before the State Appellate Authority is available to the petitioner.

4. Learned counsel for the petitioner is not in a position to dispute the contentions made on behalf of the State.

5. Considering the aforesaid facts and circumstances, this writ petition is disposed of with direction to petitioner to move before the State Appellate Authority by filing appeal and the State Appellate Authority is directed to proceed in the matter and dispose of the same in accordance with law, as expeditiously as possible.

6. With the aforesaid observations and directions, this writ application is disposed of.

(Prabhat Kumar Singh, J)

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