

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4441 of 2024

Manisha Kumari, female, aged about 48 years, Wife of Sushil Kumar, resident of village - Jurawanpur, P.O. - Rifatpur, P.S.- Pirpainti, District- Bhagalpur, PIN - 813209.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human and Resources Department (Primary Education) Government of Bihar.
2. District Education Officer, Bhagalpur.
3. District Program Officer (Establishment), Bhagalpur.
4. The Block Education Officer, Block - Pirpainti, Bhagalpur.
5. The Block Development Officer, Block - Pirpainti, Bhagalpur.
6. The Mukhiya Gram Panchayat Raj Rifatpur- Simanpur, Block - Pirpainti, District - Bhagalpur.
7. The Panchayat Secretary, Gram Panchayat Raj- Rifatpur-Simanpur, Block - Pirpainti, District - Bhagalpur.
8. The Member of Panchayat Samittee, Panchayat Raj- Rifatpur- Simanpur, Block - Pirpainti, District - Bhagalpur.
9. The Ward Member, Ward No. 13, Gram Panchayat Raj- Rifatpur- Simanpur, Block - Pirpainti, District - Bhagalpur.
10. Smt. Chandana Kumari Wife of Rajesh Kumar, Village- Malakpur, P.S. - Pirpainti, District - Bhagalpur.
11. Smt. Sabnam Kumari, Wife of Mithilesh Ram, Resident of Village - Sadipur, P.O. - Sadipur, P.S.- Pirpainti, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Manohar Prasad Singh, Advocate
For the State	:	Mr. Government Pleader-13
		Mr. Ravi Kumar, AC to GP-13
		Mr. Akshay Lal Prasad, AC to GP-13

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 12-09-2024

Heard learned counsel for the parties.

2. The petitioner has challenged the order dated 05.02.2024 issued under Memo No. 414 passed by the respondent no.2 – District Education Officer, Bhagalpur and the order dated 17.07.2023, passed by the respondent no.3 – District



Program Officer (Establishment), Bhagalpur as contained in Letter No. 1935, whereby the petitioner has been removed from the post of Panchayat Teacher posted at Primary School Kaziwar.

3. The petitioner has made a statement in paragraph no.2 that at present the District Teachers Appellate Authority is not functioning in all over the State. The petitioner also stated in paragraph no.2 of the writ petition that vide Memo no. Nill dated Nill-January, 2024, the District Teachers Appellate Authority has been closed by the respondent no.1 – the Principal Secretary, Human and Resources Department (Primary Education), Government of Bihar.

4. Since, the contention of the petitioner that the District Teachers Appellate Authority is not functioning in all over the State is on the basis of Memo No. Nill dated Nill-January, 2024, stated to have been issued by the respondent no.1 – the Principal Secretary, Human and Resources Department (Primary Education), Government of Bihar, which has not been annexed in the writ petition, the contention of the petitioner is found to be unsubstantiated.

5. Under the circumstances, since the petitioner is challenging his removal from the post of Panchayat Teacher by



the impugned order referred to above issued by the respondent authorities, having regard to the provisions of the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020 and also in view of the decision rendered by this Court in **C.W.J.C No. 10222 of 2022 (Rani Kumari vs. State of Bihar & Ors.)** along with series of connected writ petitions, this writ petition shall stand disposed off with liberty to petitioner to approach the concerned District Appellate Authority for redressal of the grievances raised in the present writ petition.

6. If the District Appellate Authority, Bhagalpur is at present not functioning, the petitioner shall have liberty to take recourse to approach the other alternative forum provided under the law for redressal of the grievances of the petitioner including this Court.

7. This writ petition stands disposed off.

(Nani Tagia, J)

Nilmani/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13.09.2024
Transmission Date	N/A

