

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6585 of 2024

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Chandra Prabha Kumari Wife of Arun Kumar Singh, Resident of House No. 4, Lane No. 4, Adarsh Nagar, Road No. 24, Adityapur, P.S. Saraikela, District- Kharsawan, Jharkhand, presently residing at Gram- Bhaluhar, P.O. Pavai, P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Bihar School Examination Board, through Secretary, Bihar School Examination Board, Patna.
3. The Secretary, Bihar School Examination Board, Patna.
4. The District Education Officer, Banka.
5. The District Program Officer, Banka.
6. The Block Education Officer, Amarpur, Banka.
7. The Secretary, Panchayat Pavai, Amarpur, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rashid Izhar, Advocate
For the Respondent/s	:	Mr. Standing Counsel (24)
For Examination Board	:	Mr. Naresh Dixit, Mr. Brij Bihari Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-11-2024 Heard learned counsel for the parties.

2. The present application has been filed for quashing the Termination Order dated 28.04.2023 passed by the Secretary, Gram Panchayat Pavai, Amarpur, Banka (Respondent No. 7) *vide* Letter No. 01, whereby appointment of the petitioner was terminated and to command Respondent No. 4 and Respondent No. 7 to reinstate petitioner on the post of Panchayat Shikshak in Amarpur Block, Banka and provide salary since 28.04.2023 along with 6% interest.



3. At the outset, learned counsel for the State and Examination Board 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 District 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 District 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 concerned District Appellate Authority by filing appeal and the District 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.

7. It goes without saying that if any question of limitation arises before the competent authority, the same shall be considered, taking into consideration the fact that the



petitioner was pursuing the issue before this Court.

(Prabhat Kumar Singh, J)

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