

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6491 of 2024

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Sudhi Priya Daughter of Sri Badshah Mahto, Resident of Sherpur Colony,
Police Station-Sadar, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The District Education Officer, Samastipur.
5. The District Program Officer (Accounts), Samastipur.
6. The District Program Officer (Establishment), Samastipur.
7. The Block Education Officer, Sahit Vidyapati Nagar, District-Samastipur.
8. The Secretary, Gram Panchayat Raj Sahit, Vidyapati Nagar, District-Samastipur.
9. The Officer in Charge, Vidyapati Nagar Police Station, District-Samastipur.
10. The Superintendent of Police, Samastipur.
11. The Mukhiya Gram Panchayat Raj Sahit, Vidyapati Nagar, District-Samastipur.
12. Indradeo Kumar, son of not known, Assistant Teacher, Primary School, Sanyasi Tola, Sahit, Vidyapati Nagar, District-Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Syed Firoz Raza, Advocate Mr. Hasnain Haider , Advocate
For the Respondent/s	:	Mr. Government Pleader (17)

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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 writ application has been filed for setting aside the termination of the petitioner contained in letter No. 8 dated 31.05.2013, also for payment of salary due (June 2012) till date in view of order dated 06.02.2024 passed in CWJC No. 15385 of 2015 and also for direction to the



respondent/s to reinsate the petitioner to the post of Primary Teacher with all the benefits and emoluments and her services be regualrized.

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 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 petitioners 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 District Appellate Authority by filing appeal and the concerned District Appellate Authority is directed to proceed in the matter and dispose of the same in accordance with law after hearing the parties, preferably within a period of six months thereafter.

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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