

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5415 of 2023

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Md. Asdaque Raza S/o Md. Siddique Razvi Resident of Village- Kachhua,
P.S.- Lakhnaur, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The Regional Education Deputy Director, Darbhanga Division, Darbhanga.
4. The District Education Officer, Madhubani.
5. The Block Development Officer, Lakhnaur, Madhubani.
6. The Block Education Extension Officer, Lakhnaur, Madhubani.
7. Jageshwar Paswan S/o Ram Sewak Paswan Resident of village- Kachhua, P.S.- Lakhnaur, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (SC-16)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-11-2024 Heard learned counsel for the parties.

2. This writ application has been filed for quashing the order contained in Memo No. 257 dated 22.02.2023 passed by the Regional Deputy Director of Education, Darbhanga (respondent no. 3) whereby the private Respondent No. 7 has been declared as senior to the petitioner and directed the Respondent No. 4 to ensure the handing over of the charge of the concerned school and further for quashing of the letter No.



142 dated 24.02.2023 issued by the Block Education Officer, Lakhnaur, Madhubani, whereby the petitioner has been directed to hand over the charge of In-charge/Headmaster of the said school to the private Respondent No. 7.

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 concerned 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 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.

(Prabhat Kumar Singh, J)

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