

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5738 of 2024

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Surya Kant Pandey S/o - Srikant Pandey, Present Address - Ward No. - 03, Indira Nagar, Sarkular Road, Barmasiya, Deoghar, P.S. - Deoghar, District - Deoghar, Jharkhand, PIN - 814112. Permanent Address- Village and Post - Telba Bazar, Post - Telba Bazar, Block - Jhajha, P.S. Jhajha, District - Jamui, Bihar, PIN - 811316. Present Posted at - As a Niyojit Assistant Teacher in Nav Sirijit Prathamik Madhya Vidyalay, Maktab- Chain, Block - Jhajha, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. The Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
3. The Director, Department of Primary Education Government of Bihar, Patna.
4. The Collector Jamui.
5. The District Education Officer, Jamui.
6. The District Programmed Officer (Stab.), Jamui.
7. The Block Development Officer, Jhajha, Jamui.
8. The Block Education Extension Officer, Jhajha, Jamui.
9. The Head Master of Nav Shrijit Prathamik Madhya Vidyalay, Maktab-Chain, Block - Jhajha, District - Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Ranjit Jha, Advocate
For the State	:	Mr. Shiv Kumar, AC to GA-3

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-10-2024 Heard learned counsel for the parties.

2. The present writ application has been filed for quashing the order dated 23.12.2023 passed by the District Programme Officer (Establishment), Jamui whereby the representation filed by the petitioner has been rejected.

3. At the outset, learned counsel appearing on behalf of the State raises preliminary objection to the maintainability



of this writ application on the ground that petitioner has got alternative statutory remedy before the District Appellate Authority. It is further submitted that no reasons have been assigned as to why this writ application shall be heard by this Hon'ble High Court, even when alternative statutory remedy to move before the District Appellate Authority is available to the petitioner.

4. Learned counsel appearing on behalf of 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 the petitioner to move before the District Appellate Authority by filing appeal.

6. It is needless to say that if such appeal is preferred by the petitioner, the District Appellate Authority shall proceed in the matter and dispose of the same, in accordance with law, after hearing the parties, by a reasoned and speaking order, as expeditiously as possible.

(Prabhat Kumar Singh, J)

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