

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5888 of 2023

=====

Ramlakhan Yadav son of Prthavi Yadv, Resident of Village-Jhakhari, Ward
No. 14, Bauraha, P.S.-Kishanpur, District-Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Human Resource Development
Department, Govt. of Bihar, Patna.
2. The District Magistrate, Supaul.
3. The District Education Officer, Supaul.
4. The Block Development Officer, Kishanpur, District-Supaul.
5. The Block Education Officer, Kishanpur, District-Supaul.
6. The Mukhiya, Grampanchayat Raj-Bauraha, Block-Kishanpur, District-
Supaul.
7. The Panchayat Sachiv, Grampanchayat Raj-Bauraha, Block-Kishanpur,
District-Supaul.

... .. Respondent/s

=====

Appearance :

For the Petitioner	:	Mr. Nafisuzzoha, Advocate
For the State	:	Mr. Subhash Chandra Mishra, SC-16

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. The present writ application has been filed for the
following reliefs:-

*“1) For issuance of writ of Mandamus or any other
appropriate writ/writs, order/orders, direction to the
respondents authorities to appoint the petitioner on
the post of Panchayat teacher, for the Handicapped
category, by cancelling the appointment of the non-
handicapped candidate who has been appointed by
the respondent authority on the post of Panchayat
teacher illegally.*



II) For issuance of writ of Mandamus or any other appropriate writ/order/direction to the respondent authorities to conduct a detail enquiry by the appropriate Higher authority of the respondent Panchayat Bauraha in regards to the Panchayat Teacher appointment 2008.

III) For issuance of any relief or reliefs for which the petitioner may be entitled and deem fit and proper.”

3. At the outset, learned counsels 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)

shashank/-

U			
---	--	--	--

