

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7436 of 2019

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Uday Kant Singh Son of Late Jay Ram Singh Resident of Village-Atmiganj,
Ward No.8, Police Station-Nasariganj, District-Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education.
2. The Principal Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
3. The Director, Secondary Education, New Secretariat, Patna.
4. The Regional Deputy Director of Secondary Education, Rohtas at Sasaram.
5. The District Magistrate, Rohtas at Sasaram.
6. The District Education Officer, Rohtas at Sasaram.
7. The District Programme Officer, Rohtas at Sasaram.
8. The Bihar School Examination Board through its Chairman.
9. The Secretary, Bihar School Examination Board, Patna
10. The Principal Indu-Tapeshwar Singh Mahila College, Bikramganj, Rohtas, Sasaram

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar Jha, Adv.
For the BSEB		Ms. Binita Singh, Adv.
For the State	:	Mr. Madhaw Prasad Yadav, G.P.-23
		Mr. Rajesh Kumar Sinha, AC to GP-23
For the Resp. No. 10		Mr. Sunil Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 26-02-2024

Heard learned counsel for the parties.

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

*I. For issuance of an appropriate writ
or writs, order or orders, direction or
directions to the respondent especially
the respondents no. 8 and 9 to give
order to the respondent no. 10 to make*



payment of annual grants of the petitioner for the year 2007-2008 and 2008-2009 and salary from February 2018 till today.

II. For further grant of any other relief or reliefs to which the petitioner is legally entitled to in the facts and circumstances of the case.

2. Learned counsel for the petitioner submits that the petitioner was initially appointed as a Typist by the Governing Body of Indu Tapeshwar Singh Mahila College, Bikramganj, Rohtas on 27.09.1990. The College had issued a list of teaching as well as non-teaching staffs of the college on 25.12.2003 according to which the name of the petitioner appears at serial no. 23. Petitioner is being paid his payment and other grants regularly but the respondent no. 10 stopped his payment of grants of the year 2007-08 and 2008-09 and salary from February 2018 till today for no fault on his part.

3. A counter affidavit has been on behalf of the respondent no. 7 in which it is stated that this writ petition is not maintainable because the State Government vide Notification No. 972 dated 19.05.2015 has framed a rule namely 'Bihar Anudanit Shikshan Sansthan Paradhikar Niyamawali 2015' (hereinafter referred to as 'Anudanit Pradhikar') under which the



teachers and employees and the Managing Committees of such Grant-in-aid schools/colleges/institutions can approach to the Anudanit Pradhikar for redressal of their grievances. Learned counsel for the respondent no. 7 further submits that a statutory alternative remedy is available to the petitioner under Clause 11 of the aforesaid Rule, therefore, petitioner without exhausting the alternative remedy cannot directly move to this Court.

4. Considering the argument made on behalf of the parties and perusal of the materials available on record, this application is disposed of with a liberty to the petitioner to take legal recourse as available in accordance with law.

(Anjani Kumar Sharan, J)

devendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.02.2024
Transmission Date	NA

