

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8018 of 2022

Ajay Kumar Das, Male, aged about 33 years, Son of Hari Ram Das Resident of Village- Subhashpalli, P.S.- Kishanganj, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Director, Primary Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Presiding Officer District Appellate Authority, Kishanganj.
4. The District Education Officer Kishanganj.
5. The District Programme Officer, Sarva Shiksha Abhiyan, Kishanganj.
6. The District Programme Officer (Establishment) Kishanganj.
7. The Sub-Divisional Officer, Kishanganj.
8. The Executive Officer cum Teacher Employment Unit, Nagar Prishad, Kishanganj.
9. The Block Education Officer, Kishanganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Md. Najmul Hodda, Advocate
For the State	:	Mr. Madhaw Pd. Yadaw, GP-23
For the B.E.P.C.	:	Mr. Girijish Kumar, Advocate
For the Nagar Parishad	:	Mr. Bindhyachal Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 05-09-2024

Heard learned counsel for the parties.

2. The petitioner, who is a Municipal Teacher, has filed this writ petition seeking a direction to the respondent authorities to accept the petitioner's joining on the post of Head Master in Nav Primary School, Satbhitha, Manjhiya, Block- Kishanganj, District – Kishanganj after release on bail in connection with Kishanganj P.S. Case No. 484 of



2016 for the offence under Sections 420, 409, 467, 468 I.P.C. lodged by the Block Education Officer, Kishanganj.

3. Learned counsel for the petitioner has pointed out the order dated 17.08.2022, whereby while issuing notice to the respondents, the respondents were directed to take steps for allowing the petitioner to join his duty.

4. The respondents have not filed counter affidavit till date.

5. Learned counsel for the respondents have submitted that since the petitioner is a Municipal Teacher, the petitioner is governed by the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020 under which Rule the petitioner has an alternative remedy to approach the District Appellate Authority. That the petitioner is governed by the aforesaid Rule, as contended by the learned counsel for the respondents, has not been disputed by the learned counsel for the petitioner.

6. Under the circumstances, since the petitioner is a Municipal Teacher, who has filed this writ petition for a direction to the respondents to accept the joining of the



petitioner on the post of Head Master in Nav Primary School, Satbhitha, Manjhiya, Block- Kishanganj, District – Kishanganj, having regard to the provisions of the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020 and also in view of the decision rendered by this Court in ***C.W.J.C. No. 10222 of 2022*** in the case of ***Rani Kumari vs. State of Bihar & Ors.*** along with series of connected writ petitions, this writ petition shall stand disposed off with liberty to the petitioner to approach the concerned District Appellate Authority for redressal of the grievances raised in the present writ petition.

(Nani Tagia, J)

Nilmani/-

AFR/NAFR	NAFR
CAV DATE	N/A
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Transmission Date	N/A

