

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7660 of 2024

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Rajendra Rajan Son of Sri Sidheshwar Singh Resident of Village- Manaini,
Police Station- Wazirganj and District- Gaya

... .. Petitioner/s

Versus

- 1 . The State of Bihar Through the Principal Secretary, Human Resources Department, Government of Bihar, Patna
2. The District Teacher Appellate Tribunal Gaya Through its Presiding Officer.
- 3 . The District Magistrate Gaya
4. The District Programme Officer(Establishment) District- Gaya
- 5 . The Block Development Officer Imamganj, District- Gaya
6. Nilesh Kumar Sinha Son of Bhuvneshwar Prasad Resident of Village- Baheri, Police Station- Imamganj, District- Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nilendu Kumar Choudhary, Advocate
For the Respondent/s	:	Mr. Manoj Kumar Ambastha, SC 26
		Mr. Subodh Kumar , AC to SC 26

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-11-2024 Heard learned counsel for the petitioner and

learned counsel for the respondent/State.

2. This writ petition has been filed for following
reliefs:-

***“ (A) To direct the respondent/s
authorities for setting aside the***



order dated 16.02.2024 passed in Appeal No. 13 of 2019 by the Presiding Officer, District Appellate Authority, Gaya whereby and where under the appeal filed by the private respondent has been allowed and the present petitioner services as Panchayat Teach has been dismissed.”

3. At the outset, learned counsel for the State raises preliminary objection on the maintainability of writ petition and submits that writ petition has been filed against the order of District Appellate Authority, for which petitioner has got statutory remedy to file appeal before the State Appellate Authority under Rule 14(c) of the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020 (for short “Rules 2020”), which reads as follows:

“14 (c) The Authority shall hear the appeal against the decisions of District Appellate Authority .”

4. Since the petitioner has got statutory alternative remedy to move before the State Appellate Authority under Rule 14(c) of the Rules 2020, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction and directs the petitioner to seek remedy before the State Appellate Authority.

5. Needless to state here that the issue of limitation, if



any, arises, the same may be considered, as the petitioner was pursuing the matter before this Court.

6. With above observation and direction, the writ petition stands disposed of.

(Prabhat Kumar Singh, J)

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