

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7456 of 2024

Sanjay Kumar Son of Sri Hiralal Ram, Resident of Village- Dharmbari, P.O.-
Safiabad, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar,
New Secretariat, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The District Education Officer, Gopalganj.
4. The District Programme Officer (Establishment), Gopalganj.
5. The Executive Officer, Block Teacher Employment Unit, Baikunthpur, P.O.
and P.S.- Baikunthpur, District- Gopalganj.
6. The Block Education Officer, Baikunthpur, P.O and P.S.- Baikunthpur,
District- Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. Vishwambhar Prasad, AC to AAG 5

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-11-2024

Heard learned counsel for the parties.

2. The present application has been filed for setting aside the order contained in Memo No. 68 dated 15.02.2024 issued by the Respondent No. 5 whereby petitioner was dismissed from his service with immediate effect in response to the order passed by the Respondent No. 4 *vide* Memo No. 439 dated 08.02.2024 and for directing the respondent authorities to reinstate petitioner with back wages along with consequential benefits.

3. At the outset, learned counsel for the State appears and raises preliminary objection with regard to the



maintainability of this writ application on the ground that petitioner has got alternative remedy before the District Appellate Authority under Rule 13 of the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020. He further submits that no reason has been assigned, as to why this writ application shall be heard by this Hon'ble High Court, even when alternative remedy to move before the District Appellate Authority is available to the petitioner.

4. Learned counsel for 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 petitioner to move before the concerned District Appellate Authority by filing appeal and the District Appellate Authority is directed to proceed in the matter and dispose of the same in accordance with law, as expeditiously as possible.

6. With the aforesaid observations and directions, this writ application is disposed of.

(Prabhat Kumar Singh, J)

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