

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7474 of 2024

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Karpoori Malakar S/o Chhanguri Malakar Resident of Village - Kuwari, P.S.
Dhamdaha, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Primary Education, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The District Magistrate, Purnea.
4. The District Programme Officer, Purnea.
5. The District Education Officer, Purnea.
6. Block Education Officer, K.Nagar, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Advocate
For the Respondent/s : Mr. Addl. Advocate General 4

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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. 1056 dated 09.04.2024 issued by the Respondent No. 5 and for directing the respondents to ensure petitioner as Headmaster for the future till the appointment of Headmaster as per the rules and regulations.

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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