

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9798 of 2022

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Kumari Savitri Singh D/o Angad Prasad Singh R/o Mo- Jagdeo Nagar, P.O.-
Anaith, P.S.- Nawada, Arrah, District- Bhojpur at Ara, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Govt. of Bihar, Patna.
4. The District Magistrate, Bhojpur, Arrah
5. The Chief Executive Officer-Cum- Deputy Development Commissioner, Bhojpur, Arrah.
6. The District Education Officer Bhojpur, Arrah.
7. The District Programming Officer, Bhojpur, Arrah.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Ram Kumar Singh, Advocate
For the State	:	Mr. Prabhakar Jha, GP-27

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 28-11-2024 Heard learned counsels for the parties.

2. The present writ application has been filed for quashing the letter contained in Memo No. 509 dated 14.01.2022 issued under the signature of the Chief Executive Officer-Cum-Deputy Development Commissioner, Bhojpur, Arrah (Respondent No. 5) whereby and whereunder the candidature of this petitioner has been cancelled.

3. At the outset, learned counsel appearing on behalf of the State raises preliminary objection to the effect that an



alternative Statutory remedy is available to the petitioner to move before the District Appellate Authority by way of filing appropriate application under Section 13 of Bihar State School Teacher (Appointment, Transfer, Disciplinary Proceedings and Service Conditions) Rules, 2020 (hereinafter referred as “Rules, 2020”), which deals with the power and functions of the District Appellate Authority.

4. Since the petitioner has got statutory alternative remedy to move before the District Appellate Authority under Rule 13 of the Rules 2020, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction.

5. In view of the aforesaid facts and circumstances, petitioner is directed to file an application before the District Appellate Authority in accordance with law.

6. In the event, such application is filed by the petitioner, the authority concerned is directed to dispose of the same, in accordance with law, after hearing the parties, by a reasoned and speaking order, as expeditiously as possible.

7. With the aforesaid observations and directions, this writ application stands disposed of.

8. It goes without saying that if any question of limitation arises before the District Appellate Authority, the



same shall be considered, taking into consideration the fact that the petitioner was pursuing the issue before this Court under Article 226 of the Constitution of India.

(Prabhat Kumar Singh, J)

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