

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9335 of 2023

Ashok Paswan Son of Yogi Paswan Resident of Village and P.O. Bel, P.S.-
Obra, District-Aurangabad (Bihar) 824124.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Special Secretary-Cum-Director Secondary Education, Human Resource Department, Bihar, Patna.
3. District Education Officer, Aurangabad.
4. District Programme Officer, Primary Education and Sarva Shiksha Abhiyan, Aurangabad.
5. Block Education Officer, Deo, Aurangabad.
6. The Headmaster/Headmaster In-Charge, Utkramit Madhyamik Vidyalaya, Bel, Block-Obra, Aurangabad.
7. The President, School Management Committee, Utkramit Madhyamik Vidyalaya, Bel, Block-Obra, Aurangabad.

... .. Respondents

Appearance :

For the Petitioner	:	Mr.Rahul Kumar Singh, Advocate
For the Respondent/s	:	Mr.Madanjeet Kumar (Gp20)
For the BEPC	:	Mr. Girijish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-11-2024

Heard learned counsel for the parties.

2. This writ application has been filed for quashing Order dated 25.4.2023 Letter no. 24 passed in Meeting No.3 dated 24.4.2023 by which services of the petitioner has been terminated as a Night Watchman.

3. At the outset, learned counsel appearing on behalf of the State raises preliminary objection to the grievances of the petitioner can suitably be redressed in terms of the statutory provisions contained in Section 10 (a) of the Industrial Disputes Act, 1947.

4. Since the petitioner has got statutory alternative remedy under Section 10 (a) of the Industrial Disputes Act,



1947, 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 granted liberty to avail the alternative statutory remedy available to him under Section 10 (a) of the Industrial Disputes Act, 1947 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 concerned 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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