

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12409 of 2023

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1. Sunila Kumari W/O Sunil Kumar, R/o Vill. Sherpur Chhatwara, P.O. Madhopur, P.S. Mahua, Dist. Vaishali.
 2. Sunita Kumari W/O Raj Kumar Singh, R/O Vill. Murauwatpur, P.O. Murauwatpur, P.S. Desari, Dist. Vaishali.
 3. Renu Kumari W/O Ram Krishn Prasad, R/O Vill. Kalyanpur, P.O. Kalyanpur, P.S. Bidupur, Dist. Vaishali.
 4. Sandhya Kumari, W/O Sunil Kumar Singh, R/O Vill. Karhaniya, P.O. Mahua, P.S. Mahua, Dist. Vaishali.
 5. Pinki Kumari W/O Nawal Ram, R/o Vill. Asadpur Maibhara, P.O. Mathana Mahodat, P.S. Goraul, Dist. Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Through its Principal Secretary, Education Department, Govt. of Bihar, New Secretariat Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat Patna.
3. The Director, Primary Education, Department, Govt. of Bihar, New Secretariat Patna.
4. The District Magistrate Vaishali.
5. The District Education Officer, Vaishali.
6. The District Program Officer (Establishment), Vaishali.
7. The Block Development Officer Mahua, Vaishali.
8. The Block Panchayati Raj Officer, Mahua, Vaishali.
9. The Block Education Officer, Mahua, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioners : Mr. Shashi Bhushan Kumar, Advocate
For the State : Mr. Prabhakar Jha, GP-27

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-12-2024 Heard learned counsels for the parties.

2. The present writ application has been filed for commanding the respondents to provide in service training to the petitioner as per Bihar Panchayat Primary Teacher



(Appointment and Service Condition) Rules, 2012 and further to direct the respondent-Authorities not to disturb the petitioner in discharging their duties.

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 petitioners 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 petitioners have 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, petitioners are granted liberty to file an application before the District Appellate Authority in accordance with law.

6. In the event, such application is filed by the petitioners, 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 petitioners were pursuing the issue before this Court under Article 226 of the Constitution of India.

(Prabhat Kumar Singh, J)

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