

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11950 of 2024

1. Amit Kumar Son of late Basant Tiwari, Resident of Mohalla- Golakpur Ministeria Quarter, Mahendru, P.S. Sultanganj, District-Patna, at Present residing at Patna University (P.U.) Co- Operative Colony, Manoharpur Kachuwara, Behind Anand International School, P.S. Gopalpur, District-Patna.
2. Avinash Kumar, Son of late Basant Tiwari, Resident of Mohalla- Golakpur Ministeria Quarter, Mahendru, P.S. Sultanganj, District-Patna, at Present residing at Patna University (P.U.) Co- Operative Colony, Manoharpur Kachuwara, Behind Anand International School, P.S. Gopalpur, District-Patna.

... .. Petitioners.

Versus

1. The State Of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Department of Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Patna, Bihar.
4. The Deputy Development Commissioner, Patna -cum-Chief Executive Officer, Zila Parishad, Patna.
5. The District Education Officer, Patna.
6. The District Programme Officer, Patna.
7. Nitish Kumar, Son of Rajendra Prasad, Resident of Village-Shyamkunj, N.T.P.C. Colony, East Ram Krishna Nagar, Sampatchak, P.S. Ram Krishna Nagar, Patna, District- Patna.

... .. Respondents.

Appearance :

For the Petitioner/s : Mr. Onkar Kumar, Advocate
For the Respondent/s : Ms. Anukriti Jaipuriyar, AC to AG

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-08-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. By the present writ application, the petitioners seek quashing of the order dated 29.06.2024 passed by the Presiding Officer of the District Appellate Authority, Patna in Appeal Case No.56 of 2023 and for other ancillary reliefs.



3. After going through the writ application and hearing learned counsel for the parties, in my considered opinion, petitioners have moved before this Court without availing the alternative and efficacious remedy available to them i.e. they have not preferred the appeal against the order impugned and directly approached before this Court.

4. In that view of the matter, this writ application is disposed of with a direction to the petitioners to prefer an appeal before the State Appellate Authority against the order impugned within a period of four weeks.

5. Till the disposal of the appeal by the State Appellate Authority, the order dated 29.06.2024 passed in Appeal No.56 of 2023, Annexure-P/1 to this writ application, shall not be given effect to and is stayed.

(Anjani Kumar Sharan, J)

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