

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11899 of 2024

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Kumari Rashmi Daughter of Badshah Singh, Resident of Sareya, Ward No. 5,
P.O. and P.S. - Gopalganj, District- Gopalganj. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The Regional Deputy Director of Education, Saran Division, Chapra.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Gopalganj.
6. The Block Teacher Employment Unit, Gopalganj Sadar, P.O. and P.S. - Gopalganj, District - Gopalganj through its Secretary.
7. The Block Development Officer-cum-Secretary, Block Teacher Employment Unit, Gopalganj Sadar, P.O. and P.S.- Gopalganj, District- Gopalganj.
8. The Block Education Officer, Gopalganj Sadar, P.O. and P.S - Gopalganj, District- Gopalganj.

... .. Respondents.

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. Standing Counsel (7)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. The present writ application has been preferred for
setting aside the initiation of Appeal and notice issued vide
Letter No.618 dated 15.05.2024 issued by the Regional Deputy
Director of Education-cum-Education Appellate Authority,
Saran Division, Chapra, whereby the order passed by the



District Teacher Appellate Authority, Gopalganj has been challenged.

3. Learned counsel for the petitioner submits that the order passed by the District Teachers Appellate Authority is appealable before the State Teachers Appellate Authority but the Block Development Officer, Gopalganj, without any authority under the law, has preferred an appeal before the Regional Deputy Director of Education, Saran Division, Chapra. He further submits that the Regional Deputy Director of Education has no jurisdiction to hear and decide the appeal against the order passed by the District Teachers Appellate Authority. Hence, the impugned order is *non est* in the eyes of law and fit to be set aside. In support of his submissions, learned counsel for the petitioner cited various decisions of this Court also.

4. Having heard learned counsel for the parties, in my considered opinion, firstly, the Block Development Officer, Gopalganj filed the appeal in a wrong forum, which has no jurisdiction to entertain such appeal and secondly, the Regional Deputy Director of Education, Saran Division, Chapra has committed wrong in entertaining it and passing an order.

5. In that view of the matter, I have no option but to set aside the Notice bearing Memo No.618 dated 15.05.2024,



Annexure-P/4 to the writ application. Accordingly, the writ application is disposed of.

(Anjani Kumar Sharan, J)

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