

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13568 of 2024

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Sunita Kumari W/o- Late Nepali Singh, resident of Village- Simaria, P.O.-
Simaria, P.S.- Pakribarawan, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The District Education Officer, Nawada.
4. The District Teachers Appointment Appellate Tribunal, Nawada.
5. The Block Education Officer, Pakaribarawan, Nawada.
6. The Block Development Officer, Pakaribarawan, Nawada.
7. Mukhiya, Jiuri Gram Panchayat, P.S.- Pakaribarawan, District- Nawada.
8. Panchayat Secretary, Jiuri Gram Panchayat, P.S.- Pakribarawan, District Nawada.
9. Kanchan Mala, W/o- Rama Kant Singh, resident of Village- Dumari, P.S.- Pakribarawan, District- Nawada.
10. Minakshi Ranjan, W/o- Ram Chandra Pandey, resident of Village- Dumari, P.S.- Pakribarawan, District- Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Respondent/s : Mr.Advocate General

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-09-2024 1. The present writ application has been filed for a direction to the respondents for implementation of the order dated 04.01.2024 passed in Appeal Case No. 22 / 2019 by the District Teachers Employment Appellate Authority, Nawada.
2. Learned counsel for the petitioner submits that under Rule 16 of the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020



(hereinafter referred to as 'the 2020 Rules'), the District Teachers Appellate Authority is empowered to initiate action for non-compliance of its order.

3. Rule 16 of the 2020 Rules is quoted herein below :-

“ 16. Power to impose Punishment-

In case of non-compliance of the order/direction or in case of any complaints by the party for compliance of the order:

(i) The Appellate Authority shall impose punishment against-concerned party but he will be given adequate opportunity of hearing before imposing punishment.

(ii) The Appellate Authority may impose penalty upto Rs. 50,000/- (Fifty thousand only) upon the answerable party. The amount of penalty shall be deposited in the Treasury under the head indicated by the Department. The amount of penalty shall be recoverable by way of Public demand.

(iii) The Appellate Authority shall have jurisdiction to make recommendation to the concerned Department to initiate Departmental proceeding or to take necessary action against the delinquent employee under the provisions of Bihar Service Code / Bihar Panchayat Raj Act 2006 / Bihar Municipal Act 2007 and other relevant provisions.”

4. After having heard learned Counsel for the parties and taking into consideration the nature of prayer made in this writ application and the fact that Rule 16 of the 2020 Rules empowers the District Appellate Authority to initiate action for non-compliance of its orders and a co-ordinate Bench of this Court in C.W.J.C. No. 14055 of 2022 and C.W.J.C. No.13637



of 2022 has held that the District Appellate Authority has power to get its orders implemented and can also take action against the concerned defaulting officers including imposition of fine, I deem it fit and proper to direct the petitioner to approach the District Appellate Authority, Nawada, for implementation of its order dated 04.01.2024 passed in Appeal Case No. 22 / 2019.

5. With the aforesaid observation and direction, this writ application stands disposed.

(Anil Kumar Sinha, J)

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