

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14808 of 2023

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Saroj Kumari Wife of Ram Nath Singh, Resident of Village and P.O.-
Pirhinda, P.S.- Sikandra, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The Regional Deputy Director, Munger Division, Munger.
4. The District Education Officer, Jamui.
5. The District Programme Officer, Establishment (Education), Jamui.
6. The Block Education Officer, Laxmipur, District- Jamui.
7. The Teacher Employment Unit, through its Secretary, Gram Panchayat Raj Khilar, Block- Laxmipur, District- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate
For the State : Mr. Madan Jeet Kumar, GP-10

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-12-2024 Heard learned counsels for the parties.

2. The present writ application has been filed for commanding the respondents to consider the case of the petitioner for continuation in service as Panchayat Teacher in the school situated as Sunder Tand under Laxmipur Block, District- Jamui with liberty to petitioner to appear and pass the necessary teachers training course and also for payment of dues of salary for the period from January, 2023 and also for payment of current salary.

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 petitioner 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 petitioner has 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, petitioner is 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 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 District Appellate 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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