

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15105 of 2023

Ajay Kumar Singh S/o - Late Ramanuj Singh, R/o-Vill Bilaspur, P.O.- Chandargarh, P.S.- Navi Nagar, District- Aurangabad. At present residing at Quarter No.- 87, S.P. Kothi Road, Aabadganj, Ward No.- 22, P.S. Daltonganj, District - Palamu Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The District Education Officer, Aurangabad.
4. The District Establishment Officer (Estt.), Aurangabad.
5. The Block Education Officer, Navi Nagar, District- Aurangabad.
6. The Mukhiya, Gram Panchayat Raj Chandargarh, Block- Navinagar, District- Aurangabad.
7. The Panchayat Secretary, Gram Panchayat Raj Chandargarh, Block- Navinagar, District- Aurangabad.
8. The Headmaster, Nationalized Primary School, Bilaspur, Block- Navinagar, District- Aurangabad

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh, Advocate
For the Respondent/s : Mr. Madanjeet Kumar (Gp20)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. The present application has been filed for directing the respondent authorities to allow petitioner to mark his attendance in the official register of Nationalized Primary School, Bilaspur, P.O.- Chandargarh, Navinagar, Aurangabad where he was appointed as Panchayat Teacher and allow him to



discharge his duties and pay arrears of salary to the petitioner w.e.f. May 2007 to till date along with the interest.

3. At the outset, learned counsel for the State appears and raises preliminary objection with regard to the maintainability of this writ application on the ground that petitioner has got alternative remedy before the District Appellate Authority under **Rule 13 of the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020**. He further submits that no reason has been assigned, as to why this writ application shall be heard by this Hon'ble High Court, even when alternative remedy to move before the District Appellate Authority is available to the petitioner.

4. Learned counsel for the petitioner is not in a position to dispute the contentions made on behalf of the State.

5. Considering the aforesaid facts and circumstances, this writ petition is disposed of with direction to petitioner to move before the concerned District Appellate Authority by filing appeal and the District Appellate Authority is directed to proceed in the matter and dispose of the same in accordance with law, as expeditiously as possible.

6. With the aforesaid observations and directions, this



writ application is disposed of.

7. It goes without saying that if any question of limitation arises before the 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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