

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14201 of 2023

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Rupam Kumari Wife of Manoj Kumar Singh, Resident of mohalla Block Road, P.O. and P.S. Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Officer, East Champaran.
4. The District Programme Officer, Establishment, East Champaran.
5. The Block Development Officer, Raxaul -cum- Secretary, Block Teacher Employment Committee, Raxaul, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate
For the State : Mr. Kameshwar Kumar, GP-17

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. The present writ application has been filed for quashing Memo No. 648 dated 20.05.2023 issued by the Block Development Officer, Raxaul-cum-Secretary, Block Teacher Employment Committee, Raxaul, East Champaran (Respondent No. 5) whereby and whereunder the services of the petitioner from the post of Block Teacher has been terminated with immediate effect.

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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