

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15223 of 2023

Narayan Ram Son of Nagina Ram, Resident of Village- Shahpur, P.S-
Sidhwalia, District- Gopalganj (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Deptt. Govt. of Bihar, Patna.
3. The Director Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The Block Education Officer, Baikunthpur, Block and P.S-Baikunthpur,
District- Gopalganj.
6. The Headmaster Primary School, Rewtith Konhi Panchayat and P.O-
Rewtith, District- Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Respondent/s : Mr. Madan Jeet Kumar (Gp 20)

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 No. 6 to allow petitioner to mark his attendance and to pay the salary of petitioner which is due from 14.02.2023 to 01.05.2023.

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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