

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16529 of 2023

Manoj Kumar Balandar @ Bahardar @ Manoj Kumar Bahadar Son of Sri Shyamdeo Bhardar @ Shyam Bahardar at present Resident of Mohalla- Road No.14, Ashok Nagar, Kankarbagh, Police Station- Kankarbagh, Patna-800020, Permanent resident of Village- Patti Bistoria, Post Office-Jagta, Police Station-Raniganj, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Primary Education, Government of Bihar, Patna.
3. The Joint Secretary-cum-additional Registrar, State Information Commission, Patna.
4. The Member, District teacher's Employment Appellate Tribunal, Araria.
5. The District Magistrate, Araria.
6. The Sub Divisional Magistrate, Araria.
7. The Block Development Officer, Raniganj.
8. The District Education Officer, Araria
9. Jaimla Devi, the Mukhiya Gram Panchayat, Kharshai, Post Office-Kharshai, Police Station-Raniganj, District- Araria
10. Susil Manual, Deputy Mukhiya, Gram Panchayat, Kharshai, Police Station-Raniganj, District-Araria
11. The Secretary, Gram Panchayat, Kharshai, Post Office- Kharshai, Police Station-Raniganj, Block-Raniganj. District-Araria.
12. Rakti Raman Saurobh Son of Dhunishdhari Yadav Resident of Village-Mouzha, Post Office-Mouzha, District-Araria.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Achintya Anand, Advocate
For the State	:	Ms. Binita Singh, SC-28

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-12-2024 Heard learned counsels for the parties.

2. The present writ application has been filed for quashing the order contained in Memo No. 534 dated 12.04.2010, order dated 27.07.2011 contained in Memo No. 103



and order dated 30.07.2011 passed by the District Teacher Employment Appellate Tribunal, Araria in Case No. 25 of 2009.

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 State Appellate Authority against the order of the District Teacher Employment Appellate Tribunal under Rule 14(c) of the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020 (for short “Rules 2020”), which reads as follows:

“14 (c) The Authority shall hear the appeal against the decisions of District Appellate Authority.”

4. Since the petitioner has got statutory alternative remedy to move before the State Appellate Authority under Rule 14(c) 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 directed to file an application before the State 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 State 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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