

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16116 of 2023

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1. Pushpa Kumari Wife of Sri Sunil Kumar Resident of Village-Kanti Kasba, Tiwari Tola, P.O. and P.S.-Kanti, District-Muzaffarpur, Posted as Block Teacher in Middle School, Repura, Block-Minapur, District-Muzaffarpur.
 2. Om Prakash Kumar Son of Sri Maujela Prasad Resident of Village and P.O.-Ghosaut, P.S.-Siwaipatti, District-Muzaffarpur, Posted as Panchayat Teacher in Govt. Primary School, Murgiyachak Tengrari (Urdu), Block-Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Muzaffarpur.
3. The District Programme Officer (Establishment), Muzaffarpur.
4. The Block Development Officer, Minapur, P.O. and P.S.-Minapur, District-Muzaffarpur.
5. The Block Education Officer, Minapur, P.O. and P.S.-Minapur, District-Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. Prabhakar Jha (Gp 27)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-12-2024 Heard learned counsel for the parties.

2. The present application has been filed for directing the respondents to pay the salary of petitioners from June 2016 for their continuous work against respective posts and for payment of difference of pay along with 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



petitioners have 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 petitioners.

4. Learned counsel for the petitioners 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 petitioners were pursuing the issue before this Court under



Article 226 of the Constitution of India.

(Prabhat Kumar Singh, J)

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