

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16580 of 2024

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- 1 . Chameli Devi Wife of Raghav Chandra Roy, Resident of village - Sadapur, P.O. - Sadapur, Police Station - Balia Balown, District- Katihar.
 2. Afsana Khatoon, Wife of Md. Habibur Rahman, Resident of village- Harnathpur, P.O. and Police Station - Baslia Balown, District- Katihar.
 - 3 . Vibhash Chandra Roy, Son of Late Surendra Chandra Roy, resident of village - Dhangaon, P.O. Chauki Haripur, Police Station - Kadwa, District- Katihar.

... .. Petitioner/s

Versus

- 1 . The State of Bihar through Principal Secretary Department of Education, Government of Bihar, Patna.
2. The Director (Primary) Education Department, Government of Bihar, Patna.
- 3 . The District Education Officer, Katihar.
4. The District Program Officer (Establishment), Katihar.
- 5 . The Block Education Officer, Kadwa, Katihar.
6. Head Master of Primary School, Alapokhar, Block Kadwa, Katihar.
7. Head Master of New Primary School, Kaswatoli, Block Kadwa, Katihar.
- 8 . Head Master of New Primary School, Mukuriya, P.S. Kadwa, Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad , Advocate
For the Respondent/s : Mr. Government Pleader (25)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-11-2024 Heard learned counsel for the parties.

2. The present writ application has been filed for quashing of order dated 15.06.2023 issued under letter No. 290 passed by Block Education Officer, Kadwa whereby and where under direction (s) has been issued to the Panchayat Teacher Employment units to terminate the services of petitioners for not passing/acquiring teachers training qualifications till 19.10.2023



and also to direct the respondent/s to pay salary to the petitioners since January 2023 and to allow the petitioners to discharge their duties in the school.

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. 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 petitioners to move before the District Appellate Authority by filing appeal and the concerned District Appellate Authority is directed to proceed in the matter and dispose of the same in accordance with law after hearing the parties, preferably within a period of six months thereafter.

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 competent authority, the same shall be considered, taking into consideration the fact that the petitioners were pursuing the issue before this Court.

(Prabhat Kumar Singh, J)

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