

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16152 of 2023

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Bhawani Kumari Daughter of Late Jaishankar Chaudhary, Wife of Trilok Nath Jha, R/o Ward No. 45, Balbhadrapur, Navtoliya, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Darbhanga.
4. The District Education Officer, Darbhanga.
5. The District Programme Officer (Establishment), Darbhanga.
6. The Block Education Officer, Bahadurpur, District- Darbhanga.
7. The Mukhiya, Gram Panchayat Raj, Tikapatti, Dekuli Block, Bahadurpur, District- Darbhanga.
8. The Panchayat Secretary, Gram Panchayat Raj, Tikapatti, Dekuli, Block Bahadurpur, District- Darbhanga.
9. The Headmaster, Upgraded Middle School, Basudevpur, Block- Bahadurpur, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate
For the Respondent/s : Smt. Binita Singh (Sc 28)
Mr. Kumaresh Singh, AC to SC 28

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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 quashing Letter dated 26.09.2023 contained in Memo No. 3252 (Establishment) issued under the signature of Respondent No. 4 (Annexure P/6) with direction to Respondent No. 9 to not take any work from the petitioner and others on the basis of filing of a writ *vide* CWJC No. 4684 of 2020.



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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