

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16936 of 2023

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Vanee Archana Daughter of Late Mukund Choudhary @ Wife of Pratap Narayan Jha Resident of Ward No. 07, Phulhara, Phulhara, Samastipur, Police Station Singhiya, District-Samastipur at Present residing near Ambedkar Chowk, Benipatti, P.s. Benipatti, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The Regional Deputy Director of Education, Regional Office, Laheriasarai, Darbhanga.
4. The District Education Officer, Samastipur.
5. The District Programme Officer (Establishment), Samastipur.
6. The Block Education Officer, Singhiya, Samastipur.
7. The Panchayat Secretary Cum Secretary, Panchayat Niyojan Unit, Gram Panchayat Phulhara, Block Singhiya, District-Samastipur.
8. The Mukhiya Cum Chairman Niyojan Unit, Gram Panchayat Raj Phulhara, P.S. Singhiya, District-Samastipur.
9. The Headmaster, Primary Girls School, Phulhara, Block Singhiya, District-Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Jha, Advocate
For the Respondent/s : Mr. Madanjeet Kumar (Gp20)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. The present application has been filed for quashing the order contained in Memo No. 453 dated 11.10.2022 issued under the signature of Respondent No. 6 whereby the letter issued earlier by Memo No. 423 dated 10.09.2022 by Respondent No. 6 regarding accepting the joining and posting of



petitioner as Teacher in Primary Girls School, Phulahara was cancelled and her attendance was stopped.

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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