

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13171 of 2017

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Mamta Devi wife of Sugendra Kumar Rai Daughter of Shri Nagnarayan Mishra, Resident of Village Khamhour, Post Office Rajapur, Police Station G.B. Nagar, Tarwara, District- Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Siwan.
4. The District Education Officer, Siwan.
5. The District Programme Officer Establishment, Siwan.
6. The Block Development Officer, Daraunda, Block Daraunda, District- Siwan.
7. The Block Education Officer, Daraunda, District Siwan.
8. The Member, District Teachers Employment Appellate Authority, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Respondent/s : Mr.S.C. Mishra, SC-16.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 10-11-2025 Heard learned counsel for the petitioner and learned
counsel appearing for respondent-State.

2. In the present writ application, the petitioner has
prayed for grant of following reliefs :-

*“1. That this writ petition is being
filed for issuance of an appropriate writ/writs,
order/orders, direction/directions to the
respondents to issue the appointment letter to
the petitioner in compliance of the order dated
27.12.2016 passed by the District Teachers
Employment Appellate Authority, Siwan and
further for any other relief/reliefs as the
petitioner is found entitled to in the facts and*



circumstances of the case.

3. Learned counsel appearing for respondent-State submits that in this writ application, the petitioner is effectively seeking compliance of the order dated 27.12.2016 passed by the District Teachers' Employment Appellate Authority, Siwan, for which he has alternative remedy under Rule 15 of the Bihar State School Teachers and Employees Dispute Redressal Rules, 2015. He further submits that this application has been filed by passing the statutory alternative remedy available to the petitioner and hence the writ petition should be dismissed as not maintainable. Learned counsel for the petitioner submits that he is willing to withdraw the present writ application if this Court would consider granting him liberty to approach the District Appellate Authority for compliance of its directions and orders in terms of Rule 15 of the Bihar State School Teachers and Employees Dispute Redressal Rules, 2015.

4. To this submission being made by learned counsel for the petitioner, learned counsel appearing for respondent-State has no objection.

5. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application is disposed of granting liberty to the petitioner to take effective steps in terms of Rule 15 of the Bihar State School Teachers and



Employees Dispute Redressal Rules, 2015, for seeking compliance of the order dated 27.12.2016 passed by the District Teachers Employment Appellate Authority, Siwan.

6. The petitioner is granted liberty to approach the District Appellate Authority within one month from the date of passing this order and if such steps are taken within the time stipulated then the District Appellate Authority shall consider and decide the same on merit in accordance with law after giving an opportunity of hearing to the petitioner and all other concerned parties, by passing a reasoned and speaking order. The entire exercise must be completed by the District Appellate Authority within a period of six months from the date of filing of the case by the petitioner before the District Appellate Authority.

7. With the aforesaid observation, direction and liberty granted to the petitioner, the writ petition shall stands disposed of. All pending I.A.s, if any, is deemed to have been disposed of.

(Alok Kumar Sinha, J)

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