

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12757 of 2015

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Kumari Jyoti daughter of Late Mahendra Prasad Singh wife of Anil Kumar, resident of Village and Post Office - Kewat Nizamat via Jitwarpur, Police Station and District- Samastpur, at present posted as Prakhand Teacher at Utkramit Madhya Vidyalaya Sahpur Rosera.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary to the Government, Department of Primary Education, Government of Bihar, Patna
2. The Director of Primary Education Bihar, Patna.
3. The District Education Officer, Samastipur.
4. The Block Teachers Employment Unit through its Secretary-cum-Block Development Officer Rosera, Sama
5. Gunjan Kumari wife of Abhishekh Kumar Singh, resident of Mohalla-Kasipur, Ward No.6, Police Station and District- Samastipur.
6. Abha Kumari daughter of Dinesh Kumar Priyadarshi, resident of Bahadurpur, Police Station- Patrakar Nagar, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shree Ganesh, Adv
For the Respondent/s : Mr. Madhuresh Prasad, Adv

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

6 11-11-2025 Heard learned counsel for the petitioner and learned counsel for the respondent-State.

2. The petitioner in the present writ application has challenged the order dated 22.07.2015 passed by the District Teachers Appointment Appellate Authority, Samastipur in Appeal Case No. 20 of 2014 (Gujan Kumari vs Prakhand Niyojan Samiti Roseran and Ors) analogous with Appeal Case No. 21 of 2014 (Abha Kumari vs Prakhand Niyojan Samiti Rosera and Ors).



3. Learned counsel appearing for the Respondent Nos. 5 and 6 submits that the petitioner has an alternative remedy of approaching the State Appellate Authority. Since the present writ application has been filed without availing the alternative remedy, therefore, the present application should be dismissed as not maintainable.

4. To the aforesaid objection raised by learned counsel for the respondent nos. 5 and 6, learned counsel for the petitioner submits that the petitioner is prepared to file an appeal before the State-Appellate Authority and prays that liberty may be granted to do so and to further direct the State Appellate-Authority to consider the appeal of the petitioner on merit and decide the same within a fixed time frame after giving an opportunity of hearing to the petitioner.

5. To the aforesaid prayer being made by learned counsel for the petitioner, learned counsel appearing for respondent no. 5 and 6 has no objection.

6. Although the impugned order is dated 22.07.2015 and the appeal before the State Appellate Authority should have been preferred in the year 2015 itself, this Court considers it appropriate in the interest of justice to dispose of the present writ application by granting liberty to the petitioner to approach



the State Appellate Authority for challenging order dated 22.07.2015 passed by the District Teachers Appointment Appellate Authority, Samastipur. The appeal shall be filed by the petitioner within one month from today and if such an appeal is filed, the State Appellate Authority shall entertain the same and decide it on merit, without rejecting on the issue of limitation. While deciding the appeal on merit, the petitioner shall be given due opportunity of hearing and the entire exercise must be completed by the State Appellate Authority within a period of six months from the date of filing of the appeal. Needless to emphasize that the final order passed by the State Appellate Authority shall be a reasoned and speaking order.

7. With the aforesaid observation/direction, this writ application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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