

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12293 of 2015

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Abhimanyu Kumar Chaurasia S/o Late Arjun Chourasia, resident of village-
Jagarian, P.S.- Chainpur, District- Kaimur at Bhabua

... .. Petitioner

Versus

1. The State Of Bihar
2. The Collector, Kaimur at Bhabua
3. The S.D.O. Kaimur at Bhabua null null
4. The District Superintendent of Education, Kaimur Bhabua
5. The Secretary, District Teacher Appointment Forum, Kaimur at Bhabua
6. The District Welfare Officer, Kaimur at Bhabua
7. The B.D.O. Chainpur, District- Kaimur at Bhabua
8. The Block Education Extension Officer, Chainpur, District- Kaimur at Bhabua
9. The Panchayat Secretary, Gram Panchayat Raj Udrampur, District- Kaimur at Bhabua
10. Mukhiya, Gram Panchayat Raj Udrampur, District- Kaimur at Bhabua
11. Deo Kumar Tiwary, S/O Sri Ambika Tiwary, resident of village- Jagarian, P.S.- Chainpur, District- Kaimur at Bhabua

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay, Advocate
For the Respondent/s : Mr. Prashant Pratap, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

9 07-11-2025 Heard learned counsel for the petitioner and learned
counsel for the Respondent-State.

2. At the outset, a preliminary objection was raised by
learned counsel appearing for the Respondent-State as regards
the maintainability of the present writ application. Learned
counsel appearing for Respondent-State submitted that the
impugned order dated 09.06.2015 passed by District Appellate



Authority, Kaimur at Bhabhua in Case No. 24 of 2015 (Annexure-9) is an appealable order under Rule 14(C) of the Bihar State Teaching Institutions Teachers and Employees Rules, 2020. He further submits that the present writ application has been filed without availing the statutory remedy of appeal and, therefore, it should not be entertained.

3. On the aforesaid objection raised by learned counsel appearing for Respondent-State, learned counsel appearing for the petitioner submits that the petitioner is prepared to withdraw the present writ application with a prayer that liberty be granted to the petitioner to file an appeal before the State Appellate Authority in terms of Rule 14(C) of the Bihar State Teaching Institutions Teachers and Employees Rules, 2020.

4. To this prayer being made by learned counsel for the petitioner, learned counsel appearing for Respondent-State does not have any objection.

5. As prayed for by learned counsel for the petitioner, this writ application is dismissed as withdrawn granting liberty to the petitioner to file an appeal before the State Appellate Authority in terms of Rule 14(C) of the Bihar State Teaching Institutions Teachers and Employees Rules, 2020 within a



period of one month from the date of passing of this order and if such an appeal is filed within the stipulated time, the State Appellate Authority will consider entertaining the same. The issue relating to delay in filing the appeal is left open for consideration by the State Appellate Authority who will consider the grounds for delay and accordingly take a decision in the matter.

6. If the State Appellate Authority decides to condone the delay and entertain the appeal for disposal on merit, the entire proceeding should be concluded within a period of three months thereafter. Needless to emphasize that in such a situation the final order which shall be passed by the State Appellate Authority should be a reasoned and speaking order.

7. With the aforesaid observation and direction, the present writ application is disposed of. All pending Interlocutory Applications, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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