

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18110 of 2023

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Shailesh Kumar S/o Shri Ramchandra Yadav, R/o- Vill. - Bhavanipur, P.O.
and P.S. - Goh, District - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The District Magistrate, Aurangabad.
4. The District Education Officer, Aurangabad.
5. The District Programme Officer, (Estt.), District - Aurangabad.
6. The Block Development Officer, Goh, District - Aurangabad.
7. The Block Education Officer, Goh, District - Aurangabad.
8. The Mukhiya -cum- Chairman, Panchayat Teacher Employment Unit, Gram Panchayat Raj Goh, District - Aurangabad.
9. The Panchayat Secretary -cum- Member Secretary, Panchayat Teacher Employment Unit, Gram Panchayat Raj Goh, District - Aurangabad.
10. Sunita Kumari, W/o - Ram Vijay Singh, R/o- Vill. - Goh, Near Durga Mandir, P.O. and P.S. - Goh, District - Aurangabad, at present working as In-charge Headmistress, Primary School Jhamanbigha, Gram Panchayat Raj Goh, District - Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh, Advocate
For the Respondent/s : Mr. Sarvesh Kumar Singh (Aag 13)

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

8 22-07-2025 Heard Mr. Rajeev Kumar Singh learned counsel for

the petitioner and Mr. Sarvesh Kumar Singh learned counsel for

the respondents.

2. The petitioner is a Panchayat Teacher (under
suspension) who has filed this writ petition with the following
prayers:-

*“...i. To quash memo no.- 161 dated 16.06.2022 issued by Block Education Officer, Goh, District-Aurangabad, so far it relates to the petitioner, whereby and whereunder general direction has been issued to all the junior teachers to hand over the charge of their respective schools to the senior teachers falling which salary would be stopped. Name of petitioner is at Sr. No.-3 in the said list. **A copy of memo no.- 161 dated 16.06.2022 is annexed as ANNEXURE - 1 to this application.***

*ii. To quash memo no.- 1016 dated 21.07.2022 issued by District Education Officer, Aurangabad whereby and whereunder direction has been issued to initiate disciplinary action against the petitioner for not handing over the charge of Headmaster of Primary School, Jhamanbigha, Block - Goh, Aurangabad to Resp. No-10. **A copy of memo no.- 1016 dated 21.07.2022 is annexed as ANNEXURE - 2 to this application.***

*iii. To quash memo no.- 34 dated 12.08.2022, issued by Panchayat Secretary-cum-Member Secretary, Panchayat Teacher Employment Unit, Gram Panchayat Raj Goh, Aurangabad whereby and whereunder Resp. No.-10 has been given charge of In-charge Headmistress of Primary School, Jhamanbigha, Block - Goh, Aurangabad. **A copy of memo no.- 34 dated 12.08.2022 is annexed as ANNEXURE -3 to this application.***

iv. To quash the memo no.- 2486 dated 20.06.2023 issued by the District Programme Officer (estt.) Aurangabad whereby and whereunder direction has been issued to the Panchayat Secretary-cum-

Member Secretary, Panchayat Teacher Employment Unit, Gram Panchayat Raj Goh, Aurangabad to suspend the petitioner from the post of Panchayat Teacher, Primary School, Jhamanbigha, Goh, Aurangabad with immediate effect and recommendation has also been made for initiation of departmental proceeding. A copy of memo no.- 2486 dated 20.06.2023 along with memo of charge is annexed as ANNEXURE - 4 to this application.

v. To quash the memo no.- 14 dated 21.06.2023 issued by the Panchayat Secretary-cum-Member Secretary, Panchayat Teacher Employment Unit, Gram Panchayat, Goh, Aurangabad whereby and whereunder he has issued the follow-up order by which petitioner has been suspended with immediate effect from the post of Panchayat Teacher, Primary School, Jhamanbigha, Goh, Aurangabad. A copy of memo no.- 14 dated 21.06.2023 is annexed as ANNEXURE - 5 to this application.

vi. To quash the order dated 29.08.2023 passed in Misc. Case No.- 93/2023 by the District Magistrate, Aurangabad whereby and where under the appeal filed by the petitioner in view of observation/direction dated 02.01.2023 passed in O.A. No-543/2022 by the State Appellate Authority, Patna has been dismissed on the ground that appeal of petitioner is time barred. A copy of order dated 29.08.2023 in Misc. Case No.- 93/2023 is annexed as ANNEXURE - 6 to this application.

vii. To direct the respondents to allow the petitioner either to mark his attendance in official register of Primary

School, Jhamanbigha, Block - Goh, District - Aurangabad or in the office of Block Education Officer, Goh, Aurangabad.

viii. To direct the respondents to pay the arrears of salary as well as current salary on month to month basis to the petitioner which is due since August 2022..."

3. On going through the prayers made by the petitioner as extracted hereinabove it appears that all the grievances of the petitioner is relatable to the service conditions of the petitioner as Panchayat Teacher. For redressal of the grievances related to the service conditions of the Panchayat Teacher, a *quasi* judicial forum called District Appellate Authority at the District level and State Appellate Authority at the State level has been statutorily established by the **Bihar State Teaching Institutions Teachers and Employees (Dispute Redressal and Appeal) Rules, 2020.**

4. Since the petitioner is a Panchayat Teacher, in view of the **Bihar State Teaching Institutions Teachers and Employees (Dispute Redressal and Appeal) Rules, 2020** and the decision rendered by this Court in ***CWJC No. 10222 of 2022 (Rani Kumari Vs. The State of Bihar & Ors.)*** along with series of connected writ petitions, this writ petition is hereby disposed off with liberty granted to the petitioner to approach

the concerned District Appellate Authority for redressal of the grievances raised in the present writ petition.

5. The writ petition stands disposed off with the above direction.

(Nani Tagia, J)

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