

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.286 of 2026

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Smt. Pratibha Kumari Daughter of Narmadeshwar Prasad Mandal Resident of
Village- Dhoomgarh, P.O.- Pipra, P.S.- Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The District Magistrate, Purnia.
3. The District Education Officer, Purnia.
4. The Block Education Officer, Banmankhi, District- Purnia.
5. The Panchayat Secretary -Cum- Member Secretary, Panchayat Teacher Planning Unit, Gram Panchayat Raj Ramnagar Farsahi, Block- Banmankhi, District- Purnia.
6. The Principal of Primary School, Khut Pothiya, Harijan Tola, Banmankhi, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Singh, Adv.
For the Respondent/s : Mr.Government Pleader (03)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 12-01-2026 Heard learned counsel for the parties.

2. Learned counsel for the petitioner, by taking this Court to the order dated 17.01.2023 passed in the case of Surendra Prasad Yadav and Ors. Vs. The State of Bihar and Ors. (CWJC No. 16953 of 2022) and by referring to the provisions of Rule 16 of the Bihar State Teaching Institutions Teachers and Employees (Disputes Redress & Appeal) Rules, 2020, submits that the petitioner may be restored with liberty to seek appropriate remedy by filing appropriate application under the



applicable Rules. for which the directions have already been issued in the aforesaid writ petition. The extracts of such directions passed in the case of Surendra Prasad Yadav (supra) are reproduced herein below:-

----- *“16. Any action taken by them contrary to the directions of the State Appellate Authority would amount to flouting of the said order for which they are liable to be punished in terms of **Rule 16 of Bihar State Teaching Insitutions Teachers and Employees(Dispute Redressal & Appeal) Rules of 2020** which reads as under:*

"16. Power to impose Punishment:-

In case of non-compliance of the order/direction or in case of any complaints by the party for compliance of the order:-

(i) The Appellate Authority shall impose punishment against-concerned party but he will be given adequate opportunity of hearing before imposing punishment.

(ii) The Appellate Authority may impose penalty upto Rs. 50,000/- (Fifty thousand only) upon the answerable party. The amount of penalty shall be deposited in the Treasury under the head indicated by the Department. The amount of penalty shall be recoverable by way of Public demand.

(iii) The Appellate Authority shall have jurisdiction to make recommendation to the concerned Department to initiate Departmental proceeding or to take necessary action against the delinquent employee under the provisions of Bihar Service Code/Bihar Panchayat Raj Act 2006/Bihar Municipal Act 2007 and



other relevant provisions.

17. The State Appellate Authority has the power to initiate proceedings against the District Programme Officer including imposing of fine and departmental proceedings. This Court leaves it open for the State Appellate Authority to take appropriate action at its own wisdom.

18. With the said observations, the writ petition is allowed. The petitioners shall be allowed to continue on the post.”

3. In view of the direction so issued by a Co-ordinate Bench of this Court, the writ petition is disposed of with a direction to the petitioner to initiate proceeding as per the provisions of Rule 16 of the Bihar State Teaching Institutions Teachers and Employees (Disputes Redress & Appeal) Rules, 2020 within a period of four weeks from today for ventilating his grievances, and on initiation of such proceedings, it is expected that the authority concerned shall adjudicate the claim of the petitioner expeditiously preferably within a period of two months.

(Ajit Kumar, J)

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