

IN THE HIGH COURT OF JUDICATURE AT PATNA

CWJC No.7778 of 2008

Md. Murtaza, son of Md. Islam, Resident of  
Village and P.O. Gangaur, Police Station  
Harlakhi, District Madhubani.....Petitioner

Versus

1. The State Of Bihar.
2. Secretary, Human Resources Department,  
Government of Bihar, Patna.
3. District Magistrate, Madhubani.
4. Block Development Officer, Lokhi Block,  
Madhubani.
5. Mukhiya, Gram Panchayat Mahadeo Math, Block  
Lokhi, District Madhubani.....Respondents

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2 30.09.2010

Learned counsels agree that the  
Appellate Authorities constituted by the  
State Government under Rule 18 of the **Bihar  
Panchayat Prarambhik Shikshak (Niyojan Avam  
Seva Sart) Niyamvali, 2006 (as amended by  
Amendment Act, 2008)** are now functional and  
hence an efficacious alternative forums is  
available to the petitioner and others for  
consideration of all their grievances in  
respect of their employment.

In the circumstances, the writ  
application is disposed of with liberty to  
the petitioner to file an appropriate  
appeal/application before the concerned  
Appellate Authority, if not already filed,  
for redressal of his grievances. In case such  
an appeal is filed by the petitioner within  
one month, the Appellate Authority shall

consider the same and all documents enclosed therewith, including orders of this Court in identical matters, if produced, and other relevant records and make all endeavours to dispose of the same on merits in reference to the original records after hearing the parties concerned by a speaking order, preferably within the time prescribed under the Rules for the purpose, by condoning the delay, if any. No order of any authority, passed earlier in terms of Rule 18, as it stood prior to amendment, or any order passed by any authority of the Government at the District level shall be treated as impediment in consideration of the matter judiciously on merits in terms of this order.

It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioner.

**(J. N. Singh, J.)**

**BT**