IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8616 of 2013

1. Anup Kumar Mishra S/O Bhrigunath Mishra R/O Village- Murwar, P.S.-Basantpur, District- Siwan

- 2. Gorakh Nath Choudhary S/O Khedaru Choudhary R/O Village- Mahpur Khajrauni, P.S.- Hussainganj, District- Siwan
- 3. Ranjeeta Kumari W/O Akhilesh Kumar Yadav R/O Village- Geyaspur Mathia, P.S. Siswan, District- Siwan
- 4. Nishi Kumari W/O Dinesh Kumar Singh R/O Village- Pateji Bahadur, P.S.- Assaon, District- Siwan Petitioners

Versus

1. The State Of Bihar

- 2. The Principal Secretary Education Department, Government Of Bihar, Patna
- 3. The Director, Primary Education, Bihar, Patna
- 4. The Regional Deputy Director Of Education, Saran Division, Chapra
- 5. The District Magistrate, Siwan
- 6. The Deputy Development Commissioner-Cum-Chairman District Education Establishment Committee, Siwan
- 7. The District Education Officer, Siwan
- 8. The District Programme Officer (Establishment), Siwan
- 9. The Prakhand Pramukh, Siswan Prakhand, District-Siwan
- 10. The Block Development Officer Cum Executive Officer, Siswan, District- Siwan
- 11. The Block Education Officer, Siswan, District-Siwan
- 12. All Headmasters Of The Petitioners' School, Anchal Siswan In The District Of Siwan
- 13. The Member District Teacher'S Employment Appellate Authority, Siwan Respondents

Appearance:

For the Petitioner/s : Mr. Ajay Kr. Pandey

For the Respondent/s : Mr. Rakesh Kr. Ranjan, AC to SC XI

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA ORAL ORDER

2 28-06-2013

Heard learned counsel for the parties.

Counsel for the petitioners submits that the case of the petitioners is squarely covered by order dated 07.3.2013 passed in CWJC no. 1675 of 2013 and its analogous cases.

Counsel for the State also submits that the issue relating to termination of services of the petitioners from the post

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of Prakhand teacher, in the first instance, has to be raised before the District Teachers Employment Appellate Tribunal.

This Court would find that the spirit of the order dated 07.03.2013 in CWJC no. 1675 of 2013, relied upon by the learned Counsel for the petitioners, is precisely the same wherein the petitioners of all those cases have been given the liberty to move the Tribunal.

That being so, this case is also disposed of with liberty to the petitioners to move the District Teachers Employment Appellate Tribunal for redressal of their grievance.

(Mihir Kumar Jha, J)

A.Ahmad/-