



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4901 of 2010

1. Sujeet Kumar Mandal s/o mangan mandal school- primary school bakradangi harijan basti, at- dimhia, p.o.- Bhojpur, Via- Madanpur, P.S.- Tarabari, Distt.- Araria, Pin- 854333
2. Akhilesh Kumar Jha S/O Mahendra Jha School- Primary School Siswa Mushari, At- Jamua, P.O.- Jamua, P.S.- Tarabari, ViaDistt.- Araria
3. Dinbandhu Jha S/O Shashikant Jha School- Primary School Khari Tola, At- Shivpuri, Ward No. 7, P.O.P.S.ViaDistt.- Araria
4. Sukkhoo Kumar Mandal S/O Ravindra Mandal School- Primary School Ghurghura, At- Dimhia, P.O. Bhojpur, Via- Madanpur, P.S.- Tarabari, Distt.- Araria, Pin- 854333
5. Maitri Kumari D/O Vijay Kumar Jha School- Primary School Pategana Kanya, AtP.O.- Pategana, P.S.- Tarabari, ViaDistt.- Araria
6. Anita Kumari D/O Shobha Kant Mishra School- Primary School Pategana Kanya, At- Majleshpur, P.O. Urlaha, P.S. Palasi, Distt.- Araria
7. Babita Kumari W/O Binod Malakar School- Primary School Bakradangi Harijan Basti, At- Baturbari Vishwas Tola, P.O. Pategana, P.S. Tarabari, ViaDistt.- Araria
8. Mamta Rani D/O Chaturanand Jha, W/O Sanjiv Kumar Jha School- Primary School Khari Tola, At- Palasi, P.O.- Pategana, P.S.- Tarabari, ViaDistt.- Araria
9. Santosh Kumar Mandal S/O Yoganand Mandal School- Primary School, Sahasmal, At- Dimhia, P.O. Bhojpur, Via- Madanpur, P.S.- Tarabari, Distt.- Araria
10. Sawita Devi W/O Arun Paswan School- Primary School, Sahasmal, AtP.O.P.S.- Kursakanta, Distt.- Araria
11. Ashok Kumar Sah S/O Moti Chand Sah School- U.M.S. Dimhia, At- Sahasmal, P.O. Bhojpur, Via- Madanpur, P.S. Tarabari, Distt.- Araria
12. Sapna Jha D/O Late Raghunath Jha School- Primary School, Kharitola, AtP.O.- Pategana, P.S.- Tarabari, ViaDistt.- Araria
13. Ashok Paswan S/O Gunanand Paswan School- Primary School Sahasmal, At- Dimhia, P.O. Bhojpur, Via- Madanpur, P.S.- Tarabari, Distt.- Araria
14. Rajesh Ranjan Uraon S/O Aanand Uraon School- Primary School Harijan Tola, Dimhia, At- Ramjani, P.O. Shailnath Rupauli, P.S. Jankinagar, Distt.- Purnea
15. Bhawesh Kumar Paswan S/O Bishnu Paswan School- U.M.S. Dimhia, At- Earaji Aamgachhi, P.O.- Aamgachhi, P.S.- Sikti, Distt.- Araria
16. Md. Rizwan Ansari S/O Md. Irfan Ansari School- Primary School Kari Tola, At- Kismat Khawaspur, P.O. Pategana, P.S. Tarabari, ViaDistt.- Araria
17. Bibi Musarat Bano D/O Md. Jainul Aabdin School- Primary School Pategana Kanya, AtP.O.- Baturbari, P.S.- Tarabari, Distt.- Araria





18. Poonam Kumari D/O Jagdish Sharma School- Primary School Harijan Tola Dimhia, At- Balwat, P.O. Baturbari, P.S. Tarabari, Distt.- Araria
19. Bibi Nujhat Bano W/O Md. Zawed School- U.M.S. Dimhia, At- Balwat, P.O.- Baturbari, Distt.- Araria, P.S.- Tarabari
20. Bibi Nahida Khatoon D/O Md. Mumtaj School- Primary School, Sahasmal, At- Balwat, P.O. Baturbari, P.S. Tarabari, Distt.- Araria
21. Gita Kumari D/O Shyam Sunder Yadav, W/O Naresh Kumar Yadav School- Primary School Khari Tola, AtP.O.- Pategana, P.S.- Tarabari, Distt.- Araria
22. Rakesh Kumar S/O Lalit Narayan Mishra School- Primary School Pategana Kanya, AtP.O. Rajeshwari, Via- Jadiya Bazar, P.S. Chatapur, Distt.- Supaul
23. Md. Sadik Hussain S/O Md. Ilyas School- Primary School Ghurghura, AtP.O.- Baturbari, P.S. Tarabari, Distt.- Araria

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Teacher Employment Appellate Authority, Araria, Through Its Member
3. The District Magistrate, Araria
4. The District Superintendent Of Education, Araria
5. The Block Development Officer, Araria
6. Gram Panchayat Raj, Sahasmal, Block- Araria, Distt.- Araria, Through Its Secretary
7. The Mukhiya, Gram Panchayat Raj, Sahasmal, Block- Araria, Distt.- Araria
8. Bipin Kumar Jha AtP.O. Pategana, P.S. Tarabari, Block- Araria, Distt.- Araria, Through District Teacher Employment Appellate Authority, Araria
9. Sunil Kumar Thakur C/O District Teacher Employment Appellate Authority, Araria, Through District Teacher Employment Appellate Authority, Araria
10. Sunil Kumar Thakur Through District Teacher Employment Appellate Authority, Araria
11. Raman Kumar Jha Through District Teacher Employment Appellate Authority, Araria
12. Amit Kumar Sah Through District Teacher Employment Appellate Authority, Araria
13. Arun Kumar Through District Teacher Employment Appellate Authority, Araria
14. Niranjana Kumar Singh Through District Teacher Employment Appellate Authority, Araria
15. Sunil Kumar Ranjan Through District Teacher Employment Appellate Authority, Araria
16. Rajesh Paswan Through District Teacher Employment Appellate Authority, Araria
17. Lalan Kumar Jha Through District Teacher Employment Appellate





- Authority, Araria
18. Sunil Kumar Mandal Through District Teacher Employment Appellate Authority, Araria
 19. Kanhaiya Prasad Jha Through District Teacher Employment Appellate Authority, Araria
 20. Smt. Sushila Kumari Through District Teacher Employment Appellate Authority, Araria
 21. Smt. Premlata Kumari Through District Teacher Employment Appellate Authority, Araria
 22. Mrs. Bibi Nahira Khatoon Through District Teacher Employment Appellate Authority, Araria
 23. Md. Javed Through District Teacher Employment Appellate Authority, Araria
 24. Amit Kumar Sah Through District Teacher Employment Appellate Authority, Araria

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Singh, Adv
Mr.Prabhat Singh, Adv
Ms. Rushali, Adv
Mr.Gyanendra Kumar Diwakar, Adv
Mr. Mohit Ranjan, Adv
Mr. Harsh Raj, Adv
For the Respondent/s : Mr.Gp20

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

14 04-12-2025 Heard learned counsel for the petitioners and learned counsel for the respondent-State.

2. With the consent of both the parties, this writ application is being disposed of at this stage itself.

3. In the present writ application, the petitioners have prayed for the grant of following reliefs:

(i) For quashing of the order dated 19/2/2010 passed in Case No.12 of 2008 by Member of District





Teacher Employment Appellate Authority, Araria and for restraining Official Respondents from disturbing the petitioners from the post of Panchayat Teachers of Gram Panchayat Raj Sahasmal, Block Araria, Distt (herein after referred as Sahasmal Panchayat) and further for direction to the Respondents for payment of arrears of salary to the petitioners w.e.f. November 2007 and current salary month to month.

4. After some argument was advanced by learned counsel appearing for the petitioners, learned counsel appearing for respondent-State objected to the maintainability of the present writ application by submitting that as against the impugned order dated 19.02.2010 passed by District Teachers Employment Appellate Tribunal in Case No. 12 of 2008, there is an alternative remedy of filing an appeal before the State Teachers Appellate Tribunal. He further submits that without availing the alternative remedy, the petitioners have approached this Court and hence, this writ application should not be entertained.

5. Learned counsel for the petitioners submits that the objection raised by learned counsel for the respondent-State is





misconceived for the reason that this writ application was filed in the year 2010 and at that time, the State Teachers Appellate Tribunal was not constituted. He, however, submits that he is prepared to approach the State Teachers Appellate Tribunal for challenging the impugned order, if this Court would direct the State Teachers Appellate Tribunal to entertain the appeal and decide it on merit, without raising any issue of limitation. He further submits that since by previous order dated 19.04.2010, this Court had stayed the operation of impugned order dated 19.02.2010 passed in Case No. 12 of 2008 by the District Teachers Employment Appellate Tribunal, Araria, therefore, so long as the matter is not finally adjudicated by the State Appellate Tribunal, the said relief may be continue otherwise the petitioners would be thrown out of service.

6. Considering the submissions made on behalf of the parties, this writ application is disposed of granting liberty to the petitioners to file an appropriate appeal before the State Teachers Appellate Tribunal within a period of two months from today and if such an appeal is filed by the petitioners, the State Teachers Appellate Tribunal is directed to entertain the same and decide it on merit after hearing all the parties concerned. It is expected that the State Teachers Appellate Tribunal will decide





the appeal filed by the petitioners within a period of one year from the date of filing of the appeal. Needless to emphasize that the final order which shall be passed by the State Teachers Appellate Tribunal should be a reasoned and speaking order. Till such time the appeal is decided by the State Teachers Appellate Tribunal, the order dated 19.02.2010 passed in Case No. 12 of 2008 by the District Teachers Employment Appellate Tribunal, Araria shall remain stayed.

7. With the aforesaid observation/direction and liberty granted, this writ application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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