
(2019) 12 PAT CK 0125

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 25011 Of 2019

Maya Kumari

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 13-12-2019

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2019) 12 PAT CK 0125

Hon'ble Judges : Rajendra Kumar Mishra, J

Bench : Single Bench

Advocate : Rama Kant Singh, Subash Chandra Mishra

Final Decision : Disposed Of

Judgement

1. Heard learned counsel appearing on behalf of petitioner and the learned counsel appearing on behalf of State.
2. The petitioner has filed this writ application under Article 226 of the Constitution of India for directing the respondent to accept her joining and pay her dues arrears of salary as well as current salary.
3. Learned counsel appearing on behalf of petitioner submits that after selection, the petitioner joined as Panchayat Teacher on 22.11.2013 in Primary School, Dhanibigha, Block-Keshru Dharpur, District - Gaya, while she was regularly coming to the school for teaching of students, but, all of sudden, in the month of September, 2016, she became ill and her health was going to deteriorate then after consulting the Doctor, she made applications for leave for medical treatment before the concerned authority on 17.10.2016 and 01.11.2016, respectively. After regaining her fitness, physically and mentally, she went to the concerned authority on 01.10.2019 for accepting her joining on duty, but she was not permitted to join on duty and her salary has also not been paid to her since September, 2017.
4. In view of the submissions made on behalf of petitioner and learned counsel

appearing on behalf of State, let the petitioner file appeal in respect to her grievance before the District Teachers Appellate Authority, Gaya, as if the Panchayat Teacher has any grievance in respect to his/her service condition and other matters, he/she may file appeal for redressal of his/her grievances before the District Teachers Appellate Authority. Since, the petitioner has alternative remedy, I am not inclined to entertain this writ application. Accordingly, this application is disposed of with a direction to the petitioner to file an appeal before the District Teachers Appellate Authority, Gaya within four weeks from today for redressal of her grievance, who shall consider the same and pass reasoned order, in accordance with law, within a period of six weeks from the date of filing of appeal by the petitioner.

5. With the aforesaid observations and direction, this writ application is disposed of.