IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 6609 of 2024

.....

Kumari Khushbu, aged about 39 years, wife of Ritesh Rinku, Resident of-Bhartikitta, P.O. Khatnai, P.S. Godda (Muffasil), Dist.-Godda, Jharkhand. .... **Petitioner(s)**

-VERSUS-

1. The State of Jharkhand.
2. Secretary, Department of School Education & Literacy Development, having its office at Project Building, P.O. & P.S. Dhurwa, District-Ranchi Jharkhand;
3. Director, Department of School Education & Literacy Development, (Directorate of Primary Education) having its office at Project Building, P.O. & P.S. Dhurwa, District-Ranchi Jharkhand.
4. Deputy commissioner, Deoghar, P.O & P.S- Deoghar, District- Deoghar, Jharkhand
5. District Superintendent of Education, Deoghar, P.O & P.S- Deoghar, District- Deoghar, Jharkhand
6. Deputy commissioner, Godda, P.O & P.S- Godda, District-Godda, Jharkhand
7. District Superintendent of Education, Godda, P.O & P.S-Godda, District- Godda, Jharkhand

.....Respondent (s)

With

W.P.(S) No. 6610 of 2024

.....

Mukesh Kumar, aged about-40 years, Son of Nageshwar Prasad Mandal, Resident of-Ramla, P.O. Godda, P.S. Godda (Muffasil), Dist.-Godda, Jharkhand.

.... **Petitioner(s)**

-VERSUS-

1. The State of Jharkhand.
2. Secretary, Department of School Education & Literacy Development, having its office at Project Building, P.O. & P.S. Dhurwa, District-Ranchi Jharkhand;
3. Director, Department of School Education & Literacy Development, (Directorate of Primary Education) having its office at Project Building, P.O. & P.S. Dhurwa, District-Ranchi Jharkhand.
4. Deputy commissioner, Deoghar, P.O & P.S- Deoghar, District- Deoghar, Jharkhand
5. District Superintendent of Education, Deoghar, P.O & P.S- Deoghar, District- Deoghar, Jharkhand
6. Deputy commissioner, Godda, P.O & P.S- Godda, District-Godda, Jharkhand

7. District Superintendent of Education, Godda, P.O & P.S-Godda, District- Godda, Jharkhand

.....Respondent (s)

.....

CORAM: **HON'BLE MR. JUSTICE DEEPAK ROSHAN**

For the Petitioner(s) : Mr. Kanti Kumar Ojha, Adv
Mr. Sahjanand Saraswati, Adv
For the Respondent (s) : Mr. Sushant Kumar, A.C. to S.C.-II

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6/ 12.06.2026

1. Heard learned counsel for the parties.

2. Since both these writ applications involve common issues, accordingly with consent of the parties, both were heard together and disposed of by this common order.

3. The grievance of the respective petitioners is that though they have been transferred from Deoghar to Godda, but they have not been relieved from their present place of posting, on the ground that a departmental proceeding is pending against them.

4. It has been submitted by Ld. Counsel for the respective petitioners that on the one hand, the respondents are not concluding the departmental proceeding; and on the other hand, they are not reliving the respective petitioners, accordingly the respondents be directed to act in accordance with the transfer order.

5. Learned counsel for the respondents draws attention of this Court towards Clause-III of the transfer order; wherein it has been categorically stated that the said transfer order will be effected only after conclusion of departmental proceeding, if in a case any proceeding is pending.

6. For brevity, Clause-III at Annexure-3 page 40 in W.P.(S) No. 6609 of 2024 is quoted hereinbelow;

"कार्यालय जिला शिक्षा अधीक्षक, गोड्डा।

कार्यालय आदेश

शर्तें:

1....

2.....

3. *स्थानांतरित शिक्षक की उक्त सूची में यदि इनके विरूद्ध विभागीय कार्यवाही लंबित हो, तो शिक्षक का अंतर जिला स्थानांतरण विभागीय कार्यवाही के निष्पादन के पश्चात् ही प्रभावी माना जायेगा। तत्पश्चात ही इनके विरमन की कार्यवाही की जाय।*

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5...."

7. Having regard to the specific clause indicated in the transfer order, the action of the respondent in not relieving the petitioners does not appear to be incorrect rather it's in accordance with the clause mentioned in the transfer order.

8. However, the grievance of the petitioners that the departmental proceeding is pending since long; accordingly, this Court directs the respondents to look into the matter and dispose of the respective departmental proceedings with regard to respective petitioners as early as possible preferably within a period of four months after following principles of natural justice.

9. It goes without saying that both the petitioners shall fully cooperate in the departmental proceeding.

10. Accordingly, both these writ applications stand disposed of. Pending I.As. if any, also stands disposed of.

(Deepak Roshan, J)

12.06.2026

Amardeep/

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