

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13654 of 2015

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Phulendra Prasad Son of Late Sagar Prasad, resident of village - Bariya, Durg, P.S.
Uchhakagaon, District - Gopalganj.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. The Director (Secondary Education), Bihar, Patna.
3. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
4. The District Education Officer, Vaishali at Hazipur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Krishna Kant Tiwari, Advocate

For the State : Mr. Ram Balak Mahto, Advocate General

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 14-12-2015

Petitioner is resisting transfer orders one after the other on one spurious ground or the other. Now he claims that he has Hepatitis B and is required to be treated at Patna and, therefore, his posting should be at Patna.

This drama has been going on since the year 2008. The last of the order rejecting the prayer of the petitioner against his transfer to Sitamarhi was also passed on 19.11.2014 which is Annexure-17 to I.A. No.9655 of 2015.

Since it is a chain transfer and since petitioner is not willing to abide by the orders of the superiors, respondents are free to take appropriate action against the petitioner. The transfer order is not required to be interfered with because petitioner cannot be treated as

law by himself.

Annexure-17 itself indicates that the prayer of the petitioner will be considered provided he joins the place of posting.

Petitioner has resisted joining the transferred posts since last seven years. That itself is a good ground not to interfere with any kind of decision of the respondents.

Writ application stands disposed of.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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