

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15310 of 2015

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Murat Sharma S/o Late Jaleshwar Sharma R/o village + P.O. Ahirauliya, P.S. Kotwa, District - East Champaran, Motihari

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development, Government of Bihar, Patna
2. The Principal Secretary, Human Resources Development, Government of Bihar, Patna
3. The Director, Primary Education, Government of Bihar, Patna
4. The Regional Deputy Director Education, Tirhut Division, Muzaffarpur, District - Muzaffarpur
5. The Primary Teacher Transfer Committee, through its Chairman, D.P.O., Motihari, District Motihari
6. The District Education officer, East Champaran, Motihari
7. The District Programme officer (Establishment), East Champaran, Motihari
8. The Block Education officer, Kotwa, East Champaran, Motihari

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Respondent/s : Mr. Ram Balak Mahto

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 30-11-2015

30.11.2015

Heard learned counsel for the parties.

On a misreading or misunderstanding of the language used in Annexure-7, the present writ application has been filed, making a grievance that the order of transfer effected on the basis of option of the petitioner as a Teacher in the matric-trained-scale has been changed vide Annexure-7, dated 06.08.2015.

The Court has read and re-read the

notification. It is evident therefrom that the petitioner was transferred to Utkramit Middle School, Ahirauliya, Kotwa, but since there was no vacant position in matric-trained-scale for payment of his salary, he has been shown to be adjusted in Middle School, Rajapur, Manchhrangi, Kalyanpur with the object of facilitating payment of his salary.

If this be so, it is not a case of re-transfer, but only a case of adjustment. If there is any misgiving, the District Programme Officer (Establishment) will issue clarification to the concerned authority.

Writ application, otherwise, is dismissed, especially when that position has been reiterated even in the counter affidavit filed on behalf of the State.

(Ajay Kumar Tripathi, J.)

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