

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1574 of 2014
IN
Civil Writ Jurisdiction Case No. 4588 of 2014

=====

Lokesh Kumar son of Bhagya Narayan Thakur resident of village and PO -
Budhnagara, PS - Nanpur, Dist. - Sitamarhi.

.... Appellant

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department,
Government of Bihar, Patna.
3. The Director, Primary Education, Human Resources Development Department,
Government of Bihar, Patna.
4. The District Education Officer, Sitamarhi.
5. The District Programme Officer, Sitamarhi.
6. The Block Development Officer, Bokhra, Sitamarhi.
7. The Block Education Officer, Bokhra, Sitamarhi.
8. Smt. Poojaa Palavi, Wife of Ravirajan Tiwari, resident of Village Ukhra, PO -
Bhaur, PS - Nanpur, Dist. - Sitamarhi. Presently posted as Assistant Teacher,
Primary School, Budhnagara, Balak, District - Sitamarhi.
9. Gram Panchayat Raj, Budhnagar Block Bokhra, Dist. - Sitamarhi through the
Secretary , Gram Panchayat Raj, Budhnagara, Sitamarhi.

.... Respondents

=====

Appearance :

For the Appellant/s : Mr. Vaidehi Raman Prasad Singh, Advocate
For the Respondents : Mr. Girijanand Prasad, Advocate
For the State : AC to Advocate General.

=====

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
And
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)
Date: 04-01-2016

Heard learned counsel for the appellant, learned counsel
for the private respondent and learned counsel for the State.

The delay in filing the appeal is condoned.

With consent of the parties, heard the appeal on merits.

Having heard the parties, we find no substance in the
appeal, for the reason that, as noted by the learned Single Judge in the
judgment under appeal that, the writ petitioner/appellant had

challenged his transfer and in course of hearing, he agreed to join the transferred post, thus the writ petition had become infructuous for all practical purposes. The learned Single Judge noted the behaviour of the writ petitioner/appellant and the allegations and observed that having joined the transferred post he would be kept under observation for a period of one year, and if, his behaviour does not improve, the authorities could take disciplinary action against the writ petitioner/appellant. This order was passed by this Court on 01.05.2014, we are in the year 2016. Learned counsel for the writ petitioner/appellant states that no action has been taken and we hold that even if any action was taken that would be subject matter of independent proceedings but cannot be subject matter of this appeal.

Therefore, this appeal is devoid of merit. This appeal is, accordingly, dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Rajeev/N.A.F.R.

U			
---	--	--	--