

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 391 of 2017

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Dr. Mahendra Narayan Ram, S/o late Jhamman Ram Resident of Village and Post Office and Police Station- Khutauna, District- Madhubani and Presently Posted as Block Education Officer, Phulwarishariff, Patna. Petitioner.

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The District Education Officer, Patna.
4. The District Program Officer (Establishment), Patna.

.... Respondents.

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Appearance :

For the Petitioner : Mr. Avinash Kumar, Adv.

For the Respondent: Mrs. Namrata Mishra, GA-6

: Ms. Archana Jha, AC to GA-6

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 08-02-2017

Counter affidavit is filed on behalf of the State. Let it be kept on record.

Heard learned counsel for the petitioner and the State.

Petitioner challenges the order contained in Memo No. 1161 dated 28.12.2016, as contained in Annexure-7. However, at the time of hearing petitioner confines his prayer only to his posting in the home district or in the district of his choice.

It is submitted on behalf of the petitioner that he is to retire in January, 2018 and in view of Rule 153(1)(b) Clause 10 of



the Bihar Education Code as well as Clause 2(2) of the Government Policies for Transfer and Posting as contained in Memo No. 881 dated 03.06.2009 issued by the Principal Secretary, Government of Bihar, Patna vide Anenxure-1, he should be considered for posting in his home district or in the district of his choice.

In above view of the matter, this writ petition stands disposed of with direction to the respondent no. 2, i.e, the Director, Primary Education, Education Department, Government of Bihar, Patna to consider the representation of the petitioner in accordance with law expeditiously preferably within a period of one month from the date of receipt/production of a copy of this order.

(Dr. Ravi Ranjan, J.)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.02.2017
Transmission Date	NA

