

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4154 of 2017

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Umesh Prasad Singh, Son of Shri Ram Roop Prasad Singh, Resident of
Village- Rajwara, P.S.- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Education Officer, Darbhanga.
5. The District Programme Officer (Establishment), Darbhanga.
6. The Block Education Officer, Baheri Block, Darbhanga.
7. Ram Balak Mandal, Son of Yadunandan Mandar, Resident of Village & P.O.-
Baghouni, Via- Baheri, District- Darbhanga (Teacher).
8. Regional Deputy Director of Education, Darbhanga Division, Darbhanga

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Tej Bahadur Singh, Sr. Advocate Mr. Pramod Kumar, Advocate
For the State	:	Mr. P.N.Sharma, AC to AG
For respondent No. 7	:	Mr. Jitendra Kumar Roy, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 05-12-2017 Counsel for the petitioner is permitted to implead the

Regional Deputy Director of Education, Darbhanga Division,

Darbhanga as party respondent No. 8

Heard learned counsel for the petitioner, learned counsel
appearing on behalf of the State and counsel appearing on
behalf of respondent No. 7.



Mr. Tej Bahadur Singh, senior advocate appearing on behalf of the petitioner submits that the rules relating to transfer as contained in Annexure-3 and 4 have not been followed in the matter of transfer and posting. He submits that in order to accommodate the private respondent no. 7 the petitioner has been ousted from the place in question. He submitted that the respondent no. 7 has been posted in his place in order to make him Drawing and Disbursing Officer. Mr. Singh has submitted that against respondent No. 7 there are many charges pending regarding financial irregularity.

Mr. Jitendra Kumar Roy, appearing for the respondent no. 7 submitted that the allegations are false and baseless.

Without entering into controversy, the writ petition is disposed of with the direction to the petitioner to file representation to the respondent No. 8 within 15 days. In case the representation is filed by the petitioner on the grievance of ousting him contrary to the scheme of 2006 Rules relating to transfer as amended by 2009 Rules, the respondent No. 8 shall examine the grievance of the petitioner and pass appropriate order within a period of 60 days from the date of receipt/production of a copy of this order.

It is made clear that this court has not expressed any



opinion on the claim and counter claim with regard to transfer and posting or the financial irregularity against the respondent no.7.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

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