

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12614 of 2017

Santosh Kumar Singh, Son of Sri Suresh Singh, Resident of Mohalla
Hanuman Nagar Laxmipur, Police Station - Town Siwan, District – Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources
Department, Bihar, Patna.
2. The Director, Secondary Education Bihar at Patna.
3. The District Development Commissioner-cum - Secretary, Niyojan Samiti,
Siwan.
4. The District Programme Officer (Establishment) Education - cum – Member,
Niyojan Samiti, Siwan.
5. The Chairman, District Board, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Krishna Bihari, Adv.
For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-09-2017 Heard Mr. Krishna Bihari, learned Counsel appearing on
behalf of the petitioner and learned AC to GA-12 for the
respondent State.

The present Writ application has been filed for a direction
to respondent authorities to transfer the petitioner from
Madhusudan High School, Chhitauli, Siwan to High School,
Rashid Chak, Mathia, Siwan.

The petitioner was appointed as Zila Parishad Physical



Teacher and is now posted in Madhusudan, High School, Chhitauli, Siwan. The petitioner represented before respondent no.3, the Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Siwan, along with all the relevant medical documents of his ailing parents, by way of representation dated 22.12.2016, as contained in Annexure-1, for his being transferred to Gaya Das Kabir, High School, Rashid Chak, Mathia, Siwan, since his father is suffering from serious heart ailment and his mother is also suffering from chronic arthritis. Though, the list of all the candidates, who have represented for their transfer has been prepared, as contained in Annexure-3 to the Writ application, and in pursuance thereto, certain persons were transferred vide Memo No. 387, dated 12.07.2017, but neither the case of the petitioner was considered nor he has been communicated with any reasoned order for non-consideration of his transfer.

Learned AC to GA-12, appearing on behalf of the respondent - State submits that, unless, the order by which certain persons have been transferred, is brought on record, it cannot be said that the case of the petitioner, for being transferred has not been considered.

Having heard learned Counsels for the parties, the Writ application is disposed of with a liberty to the petitioner, either



to challenge the order by which, his transfer was declined or to represent afresh before the authorities concerned for his transfer.

Ashwini/-

(Dinesh Kumar Singh, J)

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