

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1344 of 2017

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1. Nutan Kumari, D/o Sri Upendra Narayan, Residence of Village- Kharg,
P.O.- Bhawanipur, P.S.- Gamhariya, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar through Regional Deputy Director of Education,
Koshi Division, Saharsa.
2. The District Education Officer, Madhepura.
3. The District Programme Officer (Establishment), Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh
For the State : Smt. Binita Singh- SC28
Mr. Nishant Kumar Jha, AC to SC 28

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 05-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In the present case, petitioner is raising a grievance that
vide memo no. 1758 dated 15.12.2016 having been promoted
to the post of headmaster, posted at Urdu Middle School,
Madhepura.

The grievance has been raised by the petitioner that
entire process of transfer has been done in the lottery. There is
no allegation of malafide and action has been taken with
malicious attitude. The petitioner against the order of transfer
has approached to the Regional Deputy Director of Education,
Saharsa who has passed the order.



Learned counsel for the petitioner submits that the order has not been carried out. This Court is not an executing court for the implementation of the order passed by the Regional Deputy Director.

If the lower authority is not obeying the order of the higher authority, the authority must take action in accordance with law. This Court is not giving any opinion on the merit of the case.

Accordingly this writ petition is dismissed.

(Shivaji Pandey, J)

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