

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3527 of 2016

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Pramod Kumar Singh Son of Prem Shankar Singh resident of village -
Khanethi, P.O. Khanethi, P.S. Sonhan, District - Kaimur (Bhabua)

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Old Secretariat, Patna
3. The Director, Primary Education, New Secretariat, Bailey Road, Patna
4. The District Superintendent of Education, Rohtas, Sasaram
5. The Block Education officer, Chenari, Rohtas, Sasaram

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Pandey

For the Respondent/s : Mr. Parijat Saurav, AC to AAG-10

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 05-09-2017 Heard learned counsel for the petitioner as well as
learned counsel appearing for the State.

Petitioner was appointed as Primary Teacher in
Primary School, Nandu Siyara on compassionate ground in the
year 2003. Subsequently, he was transferred to Government
Middle School, Khurmabad, Rohtas and in the meantime, he was
granted salary and grade pay of Matric Trained Teacher as he
passed the required examination. Moreover, the grievance of the
petitioner is that he applied for his transfer to his home district but
no order was passed on his prayer.

Learned counsel for the petitioner submits that
petitioner gave an application for his transfer in the year 2013 but



still no order has been passed on the aforesaid application though petitioner is entitled for his transfer in view of Rule 9 of Bihar Rajya Rajkiyekrit Prarambhik Vidhyalaya Shikshak (Asthanantran Ewam Anushashnik Karwayi) Niyamawali, 2002.

In view of the aforesaid facts as well as submissions, this writ petition stands disposed of giving direction to respondent no. 3 (The Director, Primary Education, New Secretariat, Bailey Road, Patna) to dispose of application of the petitioner in accordance with law within six weeks from the date of receipt/production of copy of this order. However, it is made clear that if the earlier application of the petitioner is found missing from the concerned office, the petitioner shall be at liberty to file a fresh application before the respondent no. 3.

(Hemant Kumar Srivastava, J)

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