

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9185 of 2017**

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1. Ram Kumar Sinha, Son of Late Brahmdeo Sinha, Resident of Mohalla-Maderpur Mogalpura, Post Office-Lal Bagh, Police Station-Leheria Sarai, District-Darbhangha, at Present Posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Nathuchhap, Block-Siwan (Sadar), District-Siwan.
  2. Dinesh Prasad, Son of Nand Lal bari, Resident of mohalla-Ward No.9, Police Station-Ara Town, District-Bhojpur, at Present Posted and Working as an Assistant Teacher in Govt. Middle School, Shahpurpatti, Block-Sahebganj, District-Muzaffarpur.

.... .... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna
4. The Director, Primary Education, Government of Bihar, Patna.
5. The District Magistrate, Siwan.
6. The District Magistrate, Muzaffarpur
7. The District Education Officer, Siwan
8. The District Education Officer, Muzaffarpur.
9. The District Programme Officer, (Establishment), Siwan.
10. The District Programme Officer, (Establishment), Muzaffarpur
11. The Block Education Officer, Sadar Siwan, District-Siwan.
12. The Block Education Officer Sahebganj, District-Muzaffarpur.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Mishra, Adv.  
For the Respondent/s : Mr. Jitendra Kumar Roy -1, SC 13

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

8      07-12-2017                      Heard learned counsel for the petitioners and learned counsel for the State.

Learned counsel for the petitioners prays for and is granted liberty to withdraw the interlocutory application bearing Interlocutory Application No. 7459 of 2017 with a liberty to file



writ application.

The petitioners have made prayer for Inter District Transfer

It is submitted that they have represented for such a transfer in the light of the Bihar Special Elementary Teachers Appointment Rules, 2010 and the circulars which have been issued from time to time. Such teachers who had made a representation and whose representation had been earlier rejected came before this Court in several writ applications and this Court after considering the various circulars has permitted the petitioner, who is also Elementary Teacher to file a fresh representation before the Director, Primary Education, Government of Bihar, Patna (Respondent No. 4).

Learned counsel for the petitioners, thus, prays that the present writ application may be disposed of in the light of the direction issued in the case of other such teachers as has been done in CWJC No. 4535 of 2017 as their case stands on an identical footing.

Be that as it may, the petitioners are permitted to file a fresh representation before the Director, Primary Education, Government of Bihar, Patna (Respondent no. 4) and the Director, Primary Education, Government of Bihar, Patna is directed to



consider the prayer of the petitioners for Inter District Transfer and dispose of the same by a reasoned order. The said representation shall be filed by the petitioners within a period of three weeks from the date of receipt/production of a copy of this order and the same shall then be disposed of by the Director, Primary Education within a period of two months thereafter.

However, it is made clear that, as in the other cases, this Court has not expressed any view on the merits of the case or the merits of the claim made by the petitioners.

The writ application thus, stands disposed of.

**(Anjana Mishra, J)**

Jagdish/-

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