

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12008 of 2017

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Manoj Kumar Son of Ram Padarath Singh Resident of Mahsoodpur House Maurya
Ghat, P.S. Kotwali, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Human Resources Development
Department, Patna, Bihar.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Gaya.
4. The District Programme (Establishment) Officer, Gaya.
5. The Block Education Officer, Guraru, Gaya.
6. The School Inspector, Municipal Corporation North, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Respondent/s : Mr. Ashutosh Ranjan Pandey, AAG-15

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

Date: 07-09-2017

Heard learned counsel for the petitioner and learned
A.C. to G.P.15 for the State of Bihar.

The fact of the case is that the petitioner was posted as
Assistant Teacher matric trained scale in Mahabir Middle School,
Gaya. The petitioner was thereafter granted graduate trained scale,
promoted and was transferred by office order dated 21.02.2017 to
Mahabir Middle School, Pehra in the Guraru Block. The petitioner



submitted his joining but relying on the circular of the State Government dated 11.06.2011 by the Human Resources, Development Department, Government of Bihar submits that if a teacher is granted promotion ordinarily his posting to the said promotional post be considered in the same school. He submits that since he was working as Assistant Teacher matric trained scale in Mahabir Middle School Gaya, he may be posted in the same school on the promotional post. In this regard the petitioner has filed his representation before the Deputy Development Commissioner, Gaya-cum-Appellate Authority Primary Teachers Appointment Committee, Gaya regarding change of his place of posting. He submits that the said representation has not yet been considered.

Learned counsel appearing on behalf of the State submits that the petitioner has already joined his present place of posting after his promotion dated 21.02.2017 and discharging his duty in Mahabir Middle School, Pehra, Guraru.

Considering the facts and circumstances, let the petitioner be directed to file a fresh representation enclosing the earlier representation filed on 11.02.2017 before the respondent no. 3 District Education Officer, Gaya within two weeks and the same will be disposed of by the respondent no. 3 within two



months by speaking order.

The writ application is, accordingly, disposed of.

(Nilu Agrawal, J)

Devendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	09.09.2017
Transmission Date	

