

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.750 of 2017

In
Civil Writ Jurisdiction Case No.12450 of 2016

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1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna
 2. The Principal Secretary, Education Department, Govt. of Bihar, Patna
 3. The Director, Secondary Education, Education Department, Government of Bihar, Patna
 4. The Regional Deputy Director, Tirhut Division, Muzaffarpur
 5. The District Education Officer, Muzaffarpur, District - Muzaffarpur
 6. The District Education, Vaishali, District - Vaishali
 7. The District Education, Sitamarhi, District - Sitamarhi
 8. The District Programme Officer (Establishment), Muzaffarpur, District - Muzaffarpur
 9. The District Programme Officer (Establishment), Vaishali, District - Vaishali
 10. The District Programme Officer (Establishment), Sitamarhi, District - Sitamarhi

... .. Appellant/s

Versus

1. Murari Das, S/o Late Karle Mistry, Resident of Ram Dayalu Path, Ward no. 30, Lane No. 7, Aghoriya Bazar, District Muzaffarpur, Presently posted as Clerk in the Office of District Education Officer, Muzaffarpur
2. Rajani Kant Son of Late Umesh Jha Resident of Village - Kiul, POst-Garhtara, District - Begusarai, Clerk in the office of District Education Officer, Muzaffarpur
3. Vinay Kumar Son of Ram Chanu Singh Resident of Village + Post - Athari, District - Sitamarhi, presently Posted as Clerk in the Office of District Education Officer, Muzaffarpur
4. Shushil Kumar Singh Son of Shri Jaychandra Prasad Singh Resident of Village - Ratanpur, Post - Piprahi, District - Sheohar, Presently posted as Clerk in the Office of District Education Officer, Muzaffarpur



5. Anand Swaroop Verma Son of Late Jagannath Prasad Verma Village + Post - Manik Chowk, District - Sitamarhi. Presently posted as Clerk in the Office of District Education Officer, Muzaffarpur
6. Rajesh Kumar Shrivastava Son of Sheo Shankar Prasad Mohalla - Balughat, Post-Muzaffarpur, District - Muzaffarpur, presently posted as Clerk in the office of District Education Officer, Muzaffarpur
7. Varun Kumar Mishra Son of Harihar Mishra Sheikhpur Akharaghat Road, P.S. - Ahiyapur, Mushahari, District - Muzaffarpur, presently posted as Clerk in the office of District Education Officer, Muzaffarpur
8. Ajay Kumar Roy Son of Jaimangal Roy Resident of Village - Jarang Chandrahas Nagar, Post - Jarang Dyorhi, PS - Gayghat, District - Muzaffarpur, presently posted as Clerk in the office of District Education Officer, Muzaffarpur
9. Sanjay Kumar Son of Late Mishrilal Kumar Resident of Village - Kanhaulimath, Post - Ramna, PS - Mithanpura, District - Muzaffarpur, presently Posted as Clerk in the office of District Education Officer, Muzaffarpur
10. Hare Kishore Hari Son of Vishwanath Singh Resident of Village - Para, PS - Sarai, District - Vaishali, presently posted as Clerk in the office of District Education Officer, Muzaffarpur
11. Santosh Kumar Singh Son of Tejnarayan Singh Resident of Village - Jarang Dih, Post Office - Jarang Dyorhi, P.S. - Gayghat, District - Muzaffarpur. presently posted as Clerk in the office of District Education Officer, Muzaffarpur
12. Ravikant Son of Baijnath Singh Resident of Aamgola, Orient Club, Kazimohammadpur, District - Muzaffarpur, Presently posted as Clerk in the office of District Education Officer, Muzaffarpur
13. Naveen Kumar Singh Son of Late Gajadhar Singh Resident of Village - Jamalpur Bish, Post Office - Athmalgola, District - Patna, Presently posted as Clerk in the office of District Education Officer, Muzaffarpur
14. Avinash Kumar Mishra Son of Late Harendra Prasad Mishra Resident of Village + Post Office - Ginjas, District - Muzaffarpur, Presently posted as Clerk in the office of District Education Officer, Muzaffarpur
15. Vinod Kumar Tiwary Son of Late Jai Mangal Tiwari Resident of Village - Asonagar, Post Office - Barmatpur, P.S. - Kanti, District - Muzaffarpur, Presently posted as Clerk in the office of District Education Officer, Muzaffarpur
16. Narendra Kumar Son of Late Lal Babu Roy Resident of Village - Mahuli, Post Office - Choumukh, P.S. - Hathouri, District - Muzaffarpur, Presently posted as Clerk in the office of District Education Officer, Muzaffarpur
17. Archana Rani Daughter of Siyadeo Narayan Prasad Resident of Mohalla - Anandpuri Muzaffarpur, Post Office - Brahampura, District - Muzaffarpur, Presently posted as Clerk in the office of District Education Officer, Muzaffarpur
18. Nawal Kishore Sah Son of Late Kapildeo Sah Resident of Village + Post - Kudhani, District - Muzaffarpur, Presently posted as Clerk in the office of District Education Officer, Muzaffarpur
19. Manohar Kumar Son of Ramdeo Mahto Resident of Village + Post Office - Bhutahi, PS - Sonbarsa, District - Sitamarhi, Presently posted as Clerk in the office of District Education Officer, Sitamarhi



20. Jahoor Ahmad Son of Late Md. Ajeem Resident of Village - Ababakpur, PS - Goroul, District - Vaishali, Presently posted as Clerk in the office of District Education Officer, Vaishali
21. Jaglal Rai Son of Late Kamal Rai Resident of Village + Post Office - Sangho, PS - Goroul, District - Vaishali, Presently posted as Clerk in the office of District Education Officer, Vaishali
22. Rajeev Kumar Son of Late Raghubansh Prasad Singh Resident of Village + Post - Chandpur, PS - Bidupur, District - Vaishali, Presently posted as Clerk in the office of District Education Officer, Vaishali
23. Lalan Kumar Son of Late Ramashish Bakt Resident of Village - Basanta, Post Office - Ghataro, P.S. - Lalganj, District - Vaishali, Presently posted as Clerk in the office of District Education Officer, Vaishali
24. Prabhat Kumar Gupta Son of Anandi Lal Sah Resident of Village - Songho Kahartoli, Post Office - Songho, P.S. - Goroul, District - Vaishali, Presently posted as Clerk in the office of District Education Officer, Vaishali
25. Sanjay Kumar Prabhakar Son of Gyaneshwar Rai Resident of Village - Pojha, Post Office - Bhabhantoli, P.S. - Goroul, District - Vaishali, Presently posted as Clerk in the office of District Education Officer, Vaishali
26. Anil Kumar Jha Son of Late Prasad Jha Resident of Village + Post Office - Bengahi, P.S. - Bairganiya, Presently posted as Clerk in the office of District Education Officer, Sitamarhi

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rakesh Narayansingh, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 09-04-2018

It is indicated that while passing the order impugned in the writ petitions on 26.9.2016, the learned Writ Court has not taken note of the amended provisions of Rule 20 of 1974 of the statutory provision pertaining to transfer wherein Rule 20 was amended and a new provision incorporated.

If that be so, and if the order has been passed by the learned Writ Court ignoring the statutory provision, the State



Government should bring this fact to the notice of the learned Writ Court and seek review or recall of the order impugned.

Granting aforesaid liberty to the State Government, this appeal is disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16.04.2018
Transmission Date	

