

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5246 of 2018

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Ramashish Prasad Son of Shidheshwar Prasad, Resident of Village- Khirauna,
P.S.- Rahui, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The Regional Deputy Director of Education Patna Division, Patna.
4. The District Education Officer, Nalanda at Bihar Sharif.
5. The District Programme Officer (Est), Nalanda at Bihar Sharif.
6. The Block Education Officer, Rahui, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Prasad
For the Respondent/s : Mr. Sunil Kumar, AC to GA12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-03-2018 Heard the learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The grievance of the petitioner in the present application is non-consideration of his option according to the seniority by the respondents.

Learned counsel for the petitioner submits that the petitioner has opted for posting at Mohaddinagar where the post is lying vacant. No one above the petitioner in the seniority has opted for posting in the Upgraded Middle School, Mohaddinagar.

Considering the aforesaid submission made by the learned counsel for the petitioner and State that the Respondent No. 5,



District Programme Officer (est), Nalanda at Bihar Sharif is competent to consider the representation filed by the petitioner and pass appropriate order.

The writ petition is disposed of with a direction to the Respondent No. 5 to consider the case of the petitioner for posting according to the option exercised by the petitioner and in the event if it is found that no-one above the petitioner in the seniority list has opted for posting at Mohaddinagar where one post of Headmaster in Upgraded Middle School is vacant, the Respondent No. 5 shall consider the desirability of posting of the petitioner in the light of the policy adopted by the respondents in posting in accordance with the seniority cum choice and final decision in this regard may be taken by the Respondent No. 5, if not already been taken on the representation of the petitioner within a maximum period of 30 days from the date of receipt / production of a copy of this order.

With the aforesaid, the writ application is disposed of.

(Anil Kumar Upadhyay, J)

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