

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8725 of 2016

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Nand Kishore Prasad S/o Sri Ramweshwar Prasad resident of village at Budhya Mathirya, P.O. + P.S. Sidhwaliya, Distt. - Gopalganj Previous Posted Block Teacher Upgraded Middle School Sidhwaliya Bazar, Distt. - Gopalganj and Presently Posted as Teacher Upgraded Middle School Dumariya Purab, Distt. - Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director Education Bihar at Patna
3. The Regional Deputy Director, Education Saran at Chapra
4. The Collector Cum District Magistrate, Gopalganj
5. The District Education officer, Gopalganj
6. The District Programme officer (Establishment), Gopalganj
7. The Block Development officer, Sidhwaliya Block, Distt. - Gopalganj
8. The Block Education officer, Sidhwaliya Block, Distt. - Gopalganj
9. Sri Sunil Kumar Yadav S/o not Known Teacher Up Graded Middle School Sidhwaliya Bazar, P.O. + P.S. Sidhwaliya, Distt. - Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Shrivastwa, Advocate
For the Respondent/s : Mr. AC to AG

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 03-01-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is aggrieved by the order contained in memo no. 211 dated 1.9.2015, Annexure-2 whereby the petitioner has been relieved from upgraded Middle School, Singhwalia Bazar to join upgraded Middle School, Dumaria East.

Learned counsel for the petitioner submits that the order dated 1.9.2015 is contrary to the rules and it has been issued only to extend undue favour to the private respondent.



Since the petitioner has already carried out the direction as contained in annexure-2, it would be appropriate if the petitioner files representation before the District Programme Officer, Establishment, Gopalganj along with a copy of this order indicating therein the departure of the rule in the matter of relieving the petitioner. If such representation is filed by the petitioner within three weeks from today, the respondent-District Programme Officer, Establishment, Gopalganj shall examine the case of the petitioner in accordance with the rules and if it is found that the petitioner has been transferred in teeth of the rules, he is under obligation to rectify the mistake and adopt a corrective measure within a period of sixty days from the date of filing of such representation.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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