

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18892 of 2017

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Akbar Ali S/o late Md. Shaheed Village +Post- Ghurghat(Via), Gangpur
Siswan, P.S. Gangpur Siswan, District- Siwan (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through thePrincipal Secretary, Education Department,
Vikash Bhawan, Bailey Road, Patna, Bihar.
2. The Director, Primary Education, Education Department, Vikash Bhawan,
Government of Bihar, Patna.
3. The District Magistrate, Siwan.
4. The District Education Officer, Siwan.
5. The District Program Officer(Establishment), Siwan.
6. Block Education Officer, Siswan, Siwan.
7. Block Development Officer, Siswan, Siwan.
8. Panchayat Secretary, Recruitment Committee, Ghurighat, Siswan, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate
For the Respondent/s : Mr. Sunil Kumar, AC toGA12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed the present writ petition for
quashing of the order contained in memo no. 136 dated
27.11.2014 whereby he has been transferred violating the
statutory rules.

Learned counsel for the petitioner submits that the order
transferring the petitioner is in violation of the statutory rules.
However, he admits that in compliance of the order dated
27.11.2014 the petitioner has joined the transferred place of
posting.



Considering the aforesaid fact, the writ petition is disposed of with liberty to the petitioner to file a detailed representation before the respondent-District Programme Officer, Establishment, Siwan, Respondent No. 5 along with a copy of this order.

In case such a representation is filed by the petitioner indicating therein the breach of the statutory rule in the matter of transfer of the petitioner, the respondent-District Programme Officer, Establishment is required to pass appropriate order rectifying the mistake, if any, committed by the respondents in the matter of transfer and posting of the petitioner. Such exercise must be completed within a period of three months from the date of filing of the representation.

(Anil Kumar Upadhyay, J)

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