

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9349 of 2018

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1. Arbind Kumar, Son of Mishrilal Rai Madhukar, Village-Shankarpur, P.O.+P.S.- Maha, District-Vaishali.
 2. Saroj Kumar Son of Lalbaby Ray, Village-Rohua, P.O.- Sahpur, P.S.- Jandha, District- Vaishali
 3. Subodh Kumar Son of Raj Kumar Sharma, Village-Gurmiswa, P.O.- Chakshikandar, P.S.- Biddupur, district- Vaishali. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretrqy, Education Department, govt. of Bihar, Patna
2. The Director, Secondary Education, Patna
3. The Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Hajipur
4. the District Education Officer, Vaishali at Hajipur
5. the District Programme Officer (Establishment), Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Respondent/s : Mr. Hitesh Suman AC to SC-13

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-05-2018 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Learned counsel for the petitioners submits that the petitioners have submitted joining on being released on bail but the respondents have not allowed them to join. From Annexure-5 series it appears that they have made request to the Deputy Development Commissioner cum Chief Executive Officer, Zila Parishad, Vaishali at Hajipur for even transfer of the petitioners to any other school considering the threat perception.

Mr. Sunil Kumar Singh, learned counsel for the petitioners submitted that the petitioners have not been allowed



to join and even not transferred to any other school where the petitioners may perform their duty without any hindrance.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Education Officer, Vaishali and the Deputy Development Commission cum Chief Executive Officer, Zila Parishad, Vaishali at Hajipur to consider the case of the petitioners and allow them to join the post in question if they have submitted their joining as from the writ petition it does not appear that the respondents have dispensed with the services of the petitioners. So long the petitioners are continuing in service, the respondents are required to consider the case of the petitioners for accepting the joining and allowing them to perform their duty. The decision in this regard must be taken by the respondent-District Education Officer as well as the DDC cum Chief Executive Officer within a maximum period of 45 days from the receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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