

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18729 of 2018

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Chandra Bhushan Choudhary @ Chandrabhushan Choudhari Son of Sri Prithvi Chandra Choudhary @ Pridhwi Chaudhari, Resident of Village-Barsam, P.O. Balhi, P.S. Bakhtiyarpur, District Saharsa, at present working as Headmaster of Middle School, Lalpur Pirnagara, Anchal- Banma Ithari, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The Regional Deputy Director of Education, Kosi Division, Saharsa, District- Saharsa.
5. The District Education Officer, Saharsa, District- Saharsa.
6. The District Programme Officer Est., Saharsa, District- Saharsa.
7. The Block Education Officer, Banma Ithari, District- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Respondent/s : Smt. Binita Singh -Sc28

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 01-07-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

In view of the order passed on 29.01.2019 petitioner has joined the transfer place. Now the submission on behalf of petitioner is that the petitioner is entitled to consideration of transfer as per option in accordance with 2006 Rules. Transfer of petitioner contrary to 2006 rules is not permissible. He submits that the writ petition may be disposed of with a direction to respondents to pass appropriate order in accordance



with Teacher Transfer Rule 2006.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Programme Officer, Establishment, Saharsa to place the case of the petitioner before appropriate authority for appropriate decision in accordance with law for transfer and posting as per 2006 Transfer Rules. While taking the decision the respondents shall also consider the fact that the husband of the petitioner is also working as Teacher and there is policy decision of State Government to consider the case of posting of the husband and wife at the same place.

Necessary decision with regard to the respondents at the earliest preferably within a period of 60 days from the date of receipt/production of copy of this order.

(Anil Kumar Upadhyay, J)

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