

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9317 of 2019

1. Jitendra Sinha Son of Laldas Sinha resident of Mohalla Garhpar Ward No. 21 Bihar Sharif, P.S.- Bihar, District- Nalanda.
2. Ranjeet Kumar, Son of Shashi Bhushan Prasad, resident of Village - Gotia, P.S.- Asthawan, District- Nalanda.
3. Ashok Kumar Singh Son of Prasadi Singh, resident of Village- Dhobi Bigha, P.S.- Asthawan, District- Nalanda.
4. Rajesh Prasad Son of Rajnarayan Prasad resident of Mohalla- Laheri, Bihar Sharif, P.S.- Laheri, District- Nalanda.
5. Shailendra Kumar Son of Baldeo Mahto resident of Village- Gongariper, P.S. Manpur, District- Nalanda.
6. Md. Junaid Akhter Son of Md Mojibuddin resident of Mohalla- Kohna Sarai Bihar Sharif, P.S.- Bihar, District- Nalanda.
7. Sudhir Chaudhary Son of Late Hira Chaudhary resident of Village Khaje Sarai, 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 Magistrate, Nalanda.
5. The District Education Officer, Nalanda at Bihar Sharif.
6. The District Programme Officer (est), Nalanda at Bihar Sharif.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Prasad
For the Respondent/s : Mr.Shilpa Singh (Ga12)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 01-07-2019 Transfer is an incident of service and courts are not suppose to interfere with the order of transfer unless it is vitiated on account of mala fide or if there is legal bar in transfer.

Learned counsel appearing on behalf of the petitioner



would submit that ordinarily the Headmaster is not transferred but the petitioners have been transferred twice within a period of two years.

Considering the fact that post of petitioner is transferable, the Court is not inclined to interfere with the transfer order. However, liberty shall be available to the petitioner to approach the respondents for consideration of his case for transfer or posting at appropriate place in terms of their own policy decision.

Necessary decision in this regard may be taken by the respondents within a period of sixty days from the date of 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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