

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1438 of 2015

Sumitra Devi, wife of Bisundeo Prasad Sinha, resident of village- Bhirha,
P.O.- Amarpur, P.S.- Medni Chowki, District- Lakhisarai.

... .. Appellant/s

Versus

1. The State of Bihar through Director, Primary Education, Govt. of Bihar, Patna.
2. Director, Primary Education, Govt. of Bihar, Patna.
3. Regional Deputy Director of Education, Munger.
4. The District Magistrate, Lakhisarai.
5. The District Programme Officer (Establishment) -cum- District Education Officer, Lakhisarai.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jyoti Ranjan Jha, Adv.

For the Respondent-State: Mr. Anshuman Singh, AC to AG.

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 21-01-2019

This Letters Patent Appeal arises from a judgment and order dated 03.07.2015 of a learned Single Judge passed in CWJC No.5818 of 2015 whereby the writ petition has been dismissed.

Perusal of the writ petition would show that a prayer was made to direct the respondents to modify the order dated 15.03.2013 at Annexure-2 to the writ petition whereby the petitioner had been appointed as a lady teacher and posted at upgraded Middle School, Ratanpur Suryagarha in the district of Lakhisarai. Now this posting order has aggrieved the petitioner but for which it is two years thereafter that she sought



modification of the order by a posting at a school of her choice. The request obviously not being entertained that she came before this Court through the writ petition which has been dismissed and even before this Court we are not persuaded with the arguments to grant indulgence to such prayer which has rightly been rejected. We are of the opinion that even if option regarding the choice of posting is asked by the respondents, the final decision is best left at the discretion of administration and should not be interfered with in routine manner.

The order of the learned Single Judge is reasoned and has taken note of the legal position so well settled in service matters where posting option cannot be a cause for litigation.

The appeal is dismissed.

(Jyoti Saran, J)

(Nilu Agrawal, J)

Skpathak/Anjula

AFR/NAFR	NAFR
CAV DATE	NA
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