

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5000 of 2018

=====

Usha Kumari Wife of Kanhaiya lal Resident of Village Basantpur Patti, Basti Saloni, P.S. Saraiya, District- Muzaffarpur, Presently Posted as Head Master, Middle School, Basantpur Patti, Saraiya, Block- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
4. The District Education Officer, Muzaffarpur District- Muzaffarpur.
5. The District Programme officer Establishment, Muzaffarpur, District- Muzaffarpur.
6. The Block Education Officer, Saraiya, District- Muzaffarpur.
7. Rajdeo Sah Son of late Manki Sah Resident of Village- Marwapakar, Police Station- Saraiya, District- Muzaffarpur, Presently Posted as Headmaster Middle School, Rewa Anchal- Saraiya, District- Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh
For the Respondent/s	:	Mr. Sunil Kumar -Ga12
For respondent no.7	:	Mr. A.K. Ojha

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 27-06-2019 Heard learned counsel for the petitioner and the counsel appearing on behalf of the State as well as learned counsel for the private respondent.

Petitioner has approached this Court aggrieved by the order of displacement and despite indulgence granted to the official respondents no counter affidavit has been filed.

On behalf of respondent no. 6 counter affidavit has been filed in which stand was taken that there is no infirmity in



the posting of respondent no.7.

However, he does not dispute as to the fact that the petitioner cannot be kept in limbo without posting as there is no order of posting of petitioner.

Considering the fact that there is no counter affidavit filed on behalf of the respondent authorities, the Court is constrained to dispose of the writ application with direction to the respondent authorities to pass appropriate order for posting of the petitioner within a period of 30 days from the date of receipt/production of a copy this order and until posting of the petitioner, the petitioner shall not be disturbed from the present place of posting.

The respondents are directed to take appropriate decision within one month for posting of petitioner and respondent no.6, failure on the part of the respondents for posting, shall be viewed seriously.

(Anil Kumar Upadhyay, J)

Ravi/-

U			
---	--	--	--

