

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11188 of 2019

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Ajit Kumar Son of Late Prasadi Mandal Resident of Village- Khadia Pipra,
P.S.- Asarganj, District- Munger (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Director (Primary Education), Department of Education, Govt. of Bihar, Patna.
4. The District Education Officer Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Lalan Kumar
For the Respondent/s : Mr.Kmeshwar Kumar (Gp 17)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-06-2019 The present writ petition has been filed for setting aside the order dated 25.04.2019, issued by the Director (Primary Education), Government of Bihar, Patna, whereby and whereunder the petitioner has been transferred from the post of Block Education Officer, Goradih, Bhagalpur to the post of Headmaster, Rajkiya Buniyadi Vidyalaya, Chausa, Buxar.

The learned counsel for the petitioner submits that the present case is a hard case inasmuch as the daughter of the petitioner is suffering from Athetoid Cerebral palsey and moreover, the petitioner is left with only two years of service, whereafter, he would be retire from his services, hence the case of the petitioner be considered sympathetically.



Having regard to the facts and circumstances of the case, I deem it fit and appropriate to relegate the petitioner to the remedy of filing a representation before the concerned authority i.e. the Director (Primary Education), Government of Bihar, Patna, who shall consider the case of the petitioner without being prejudiced by the impugned order dated 25.4.2019, passed by him earlier.

Accordingly, the petitioner is granted liberty to file appropriate representation before the respondent no. 3 within two weeks from today and in case such a representation is filed, the respondent no. 3 shall consider the case of the petitioner sympathetically and take a decision in the matter with regard to transfer/ posting of the petitioner herein within a period of four weeks thereafter.

The present writ petition stands disposed of on the aforesaid terms, however, with a further direction that for a period of four weeks, status quo existing as on today, shall be maintained with regard to the place of posting of the petitioner.

(Mohit Kumar Shah, J)

Tiwary/-

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