

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13471 of 2019

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Bhagya Narayan Singh Son of Deenanath Singh Resident of Maghari, P.S.
Bhagwanpur, P.O. Sughari, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. Director Primary School, Govt. of Bihar, Patna.
4. District Magistrate Cum- Collector, District- Siwan.
5. District Education Officer, Siwan.
6. District Programme Officer, Siwan.
7. Head Master, Govt. Middle School, Sakra Khamhauri, Block Maharajganj,
District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate Ms. Archana, Advocate
For the Respondent/s	:	Mr. Prabhakar Jha, G.P. 27 Mr. Umesh Narayan Dubey, A.C. to G.P. 27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the respondent State.

The petitioner has approached this Court for a
direction to the respondents to consider his case for transfer in
terms of Rule 5 of the letter dated 07.05.2018 whereby the
respondents framed rules for transfer of the Teachers of
Government Primary Schools.

Learned counsel for the petitioner submits that
the petitioner is working as Assistant Teacher in the Govt.
Middle School, Sakara Kashauri, Block Maharajganj, District
Siwan since 03.10.1994. Considering hardship in visiting his



ailing parents and other family members, he requested respondents in terms of notification dated 23.03.2018 for transfer to Patna District.

Learned counsel for the petitioner submits that the request of the petitioner is pending before the District Education Officer, Siwan under the Scheme contained in Annexure 2. It is apparent that for inter-District transfer, the Director, Education Department, Government of Bihar, is competent authority, but the petitioner has submitted his request before District Education Officer who is incompetent in the matters of inter-District transfer.

Under the aforesaid circumstances, no direction can be issued in favour of the petitioner. However, liberty shall be available to the petitioner to approach the Director, Education Department, Government of Bihar by filing appropriate representation enclosing all the relevant documents with request to transfer. Considering his hardship. In the event of such representation is filed by the petitioner, the Director of Primary Education shall consider his request for transfer. An appropriate decision may be taken by the respondent Director within a period of 60 days from the date of receipt/production of a copy of this order.



With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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