

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17268 of 2019

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Md. Farooque Ahmad, Son of Gulam Rasool, Resident of Mohalla- Bada Pareuwa Raxaul, Ward No. 17, Police Station- Raxaul, District- East Champaran. At present posted and Working as an Assistant Teacher in Govt. Upgrades Middle School Dumariya Urdu, Anchal- Raxaul, District- East Champaran (Motihari).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Chief Secretary-cum-the Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, East Champaran, Motihari.
5. The Sub Divisional Officer, Raxaul, East Champaran, Motihari.
6. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
7. The District Education Officer-cum-the Chairman, District Elementary Teachers Promotion and Transfer Committee, East Champaran, Motihari.
8. The District Education Officer, East Champaran, Motihari.
9. The District Programme Officer (Establishment)-cum-the Chairman, District Elementary Teachers Promotion and Transfer Committee, East Champaran, Motihari.
10. The District Programme Officer (Establishment) East Champaran, Motihari.
11. The Block Education Officer, Raxaul, East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra
For the Respondent/s : Mr. Ranjan Kumar (Ga12)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the respondents.

Petitioner has filed the present writ application for a
direction to the respondents to transfer the petitioner. Transfer
and posting is in the domain of the employer. The employer is



better in a position to appreciate the posting of its employees and the Court is not suppose to interfere in the discretion exercised by the administrative authority.

Learned counsel for the petitioner submits that considering the threat perception he has filed representation which is pending before the District Programme Officer (Establishment), Motihari.

Without expressing any opinion on the merit of the case, the writ petition is disposed of with liberty to the petitioner to pursue his representation before the District Programme Officer (Establishment), Motihari who shall pass appropriate order in accordance with law at the earliest within a period of four month from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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