

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4612 of 2018

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Raushan Ara, wife of late Md. Salman, D/o Md. Badruddin, R/o Ward No. 5,
Gidarganj, Madna, P.S. - Andhrathdhi, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar represented Principal Secretary, Human Resources Department, Government of Bihar
2. The District Magistrate, Madhubani.
3. The District Programme Officer Establishment, Madhubani.
4. The District Education Officer, Madhubani.
5. Block Development Officer-cum-Secretary, Block Teacher Appointment Committee, Andhrathadi, Distt. -
6. Block Education Officer, Andhrathadi, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gopal Jha

For the Respondent/s : Mr.Kameshwar Kumar- Gp17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-06-2019 Heard learned counsel for the petitioner and the respondents.

The petitioner is aggrieved by the order as contained in Annexure-5.

Learned counsel for the petitioner submits that the transfer order was passed at the instance of District Public Grievance Redressal Officer, Madhubani. The petitioner is a Block Teacher covered by the Service Condition Rules.

Under the Service Condition Rules, the District Public Grievance Redressal Officer, Madhubani has absolutely no role contrary to scheme. The District Public Grievance Redressal



Officer, Madhubani has directed for transfer of the petitioner and at his instance the petitioner was transferred from Upgraded Middle School Jamaila (Urdu) to Upgraded Middle School, Marukiya.

Considering the fact that the Rule does not permit exercise of jurisdiction by the District Public Grievance Redressal Officer, the order at his instance passed by the Block Development Officer-cum-Secretary Block Teacher Employment Committee (Annexure-5) cannot sustain, it is accordingly quashed.

However, quashing of Annexure-5 will not come in the way of the respondent in passing appropriate order in accordance with law.

With the aforesaid, this application stands allowed and disposed of.

(Anil Kumar Upadhyay, J)

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