

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5016 of 2017

Anil Kumar Singh, Son of Ram Bali Singh, Resident of Mohalla- Gajrarh,
P.S.- Sasaram, District- Rohtas at Sasaram. ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources, Government of Bihar, Patna
 2. The Director, Department of Education, Patna.
 3. The Regional Deputy Director of Education, Department of Education, Patna
 4. The District Magistrate-cum-Chairman of District Primary Teachers Transferring Committee, Rohtas at Sasaram
The District Education Officer, Rohtas at Sasaram
 6. The District Programme Officer (Estt.) Rohtas at Sasaram
 7. Sri Harishankar Singh, Son of not known to the Petitioner, presently, posted at Upgraded Middle School, Samardiha, Block Sasaram, District- Rohtas at Sasaram. ... Respondent/s
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Appearance :

For the Petitioner/s	:	Mr. Siddharth Harsh, Advocate
For the Respondent/s	:	Mr. Prabhu Narayan Sharma, AC to AG
For Respondent No.7	:	Mr. Satyavrat Verma, Advocate Mr. Shashank Chandra, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 09-07-2019 Heard learned counsel for the petitioner and the Respondents.

The grievance of the petitioner in the present writ application is non-consideration of his option for the purpose of transfer.

Learned counsel for the petitioner submits that notwithstanding the availability of post in the school, in question, where the petitioner was working, the respondents have posted the junior teacher to the petitioner from outside and ignored the case of the petitioner for posting in the school, in question.

The decision assailed in the present case is dated



09.11.2016. We are in 2019.

Under the aforesaid circumstance, instead of interfering with the order dated 09.11.2016, the writ application is disposed of with liberty to the petitioner to approach the Director, Primary Education, Government of Bihar with a request to take appropriate decision with regard to his claim as per the option exercised by the teachers, on promotion.

Learned counsel for the petitioner submits that the Principal Secretary, Education Department, has also issued guideline in this regard while taking decision for posting of the teachers as per the option to be exercised by the petitioner, the Director, Primary Education has to act in accordance with the guideline issued by the Principal Secretary.

Necessary decision on the option exercised by the petitioner by way of representation shall be considered by the Director, Primary Education, Government of Bihar within a maximum 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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