

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18925 of 2019**

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Ram Naresh Singh Son of Chathu Singh, Resident of Village- Harpur Hari,  
P.S. Patepur, Distt. Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development, Govt. of Bihar, Patna.
2. The Director, Department of Primary Education , Bihar, Patna.
3. The Regional Deputy Development of Education, Tirhut Division, Muzaffarpur.
4. The District Education Officer, Vaishali.
5. The District Program Officer(Establishment), Vaishali.
6. The Block Development Officer, Patepur, Vaishali.
7. The Block Education Officer, Patepur, Vaishali.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar, Advocate  
For the Respondent/s : Mr.Prabhakar Jha (Gp27)

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      11-09-2019                      Heard learned counsel for the petitioner and the  
  
State.

The petitioner is aggrieved by the order of transfer dated 30<sup>th</sup> of August, 2019, as contained in Annexure-3. The order of transfer indicates that the petitioner has been transferred on administrative ground. The rule regulating appointment/transfer in two eventualities, firstly the order of transfer is on the request of the teacher and secondly when the transfer is resorted to maintain teachers student ratio. Transfer on administrative ground is not available under the rules.



In view of the above, the order contained in Annexure-3 cannot sustain. It is, accordingly, quashed. The respondents are directed to restore the petitioner at the school where the petitioner was working before the order of transfer contained in Annexure-3.

The writ petition stands allowed and disposed of.

**(Anil Kumar Upadhyay, J)**

spandey/-

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