

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1758 of 2019

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Gajendra Kumar Late Jai Narayan Shah, Resident of Village-Mahisaraho, Ward No. 11, P.S. Mahisi, District- Saharsa, presently Principal cum Drawing and Reimbursement Officer, Middle School, Sattar- Katiaya, District- Saharsa.

... .. Petitioner

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Director, Primary Education, Education Department, Govt. of Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The Deputy Director of Regional Education, Kosi Division, Saharsa.
5. The District Education Officer, Saharsa.
6. The District Programme Officer (Establishment), Saharsa.
7. The Block Development Officer, Sattar Katiaya, Saharsa.
8. The Block Education Officer, Sattar Katiaya, Saharsa.
9. Shivendra Narayan Singh, presently the Principal of Middle School, Rakiya, Block- Sattar Kataiya, District- Saharsa.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Sameer Ranjan, Advocate
For the Respondents : Mr. Subhash Chandra Mishra (SC 16)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 06-07-2020

Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

The petitioner is aggrieved by order of transfer contained in Memo No. 1908-7 dated 08.12.2018 (Annexure-18) whereby he has been transferred from the post of Headmaster, Middle School Sattar Kataiya, Saharsa to Upgraded Middle School, Bhavdeva, Block Simri Bakhtiyarpur, Saharsa.



Learned counsel appearing on behalf of the petitioner would submit that transfer order is per se illegal. However, he submits that the petitioner joined the transferred post.

Considering the fact that the transfer order is dated 08.12.2018 and the petitioner obeyed the transfer order, the writ petition is disposed of with a direction to the respondent-District Programme Officer (Establishment) Saharsa to take appropriate decision in the matter of transfer of the petitioner and respondent no. 9 in accordance with the transfer rule within a period of fifteen days from the date of receipt/production of a copy of this order and the competent authority is hereby directed to pass appropriate order of transfer and posting of the petitioner within a maximum period of one month from today.

With the aforesaid observation and direction, the present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	09.07.2020
Transmission Date	N.A.

