

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4535 of 2020

Shashi Bhushan Kumar Son of Late Gaya Prasad Resident of Shyamala Sadan, Durga Ashram Gali, Sheikhpura Bagicha, Rukanpura, Police Station-Shastri Nagar, District- Patna, At present posted as a Headmaster in Govt. Middle School Sikariya, Anchal- Bihiya, District- Bhojpur, Ara.

... .. Petitioner

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 Regional Deputy Director of Education Patna.
5. The District Education Officer -cum- the Chairman District Elementary Teachers Promotion and Transfer Committee, Bhojpur, Ara.
6. The District Education Officer-cum- the Chairman District Elementary Teachers Promotion and Transfer Committee, Patna.
7. The District Education Officer Bhojpur, Ara.
8. The District Education Officer Patna.
9. The District Programme Officer (Establishment)-cum- the Member Secretary District Elementary Teachers Promotion and Transfer Committee, Bhojpur, Ara.
10. The District Programme Officer (Establishment)- cum- the Member Secretary The District Elementary Teachers Promotion and Transfer Committee, Patna.
11. The District Programme Officer (Establishment) Bhojpur, Ara.
12. The District Programme Officer (Establishment) Patna.
13. The Block Education Officer Bihiya, District- Bhojpur, Ara.

... .. Respondents

Appearance :

For the Petitioners	:	Mr.Umesh Kumar Mishra, Advocate
For the Respondents	:	Smt. Binita Singh (SC28)
		Mr. Nishant Kumar Jha, AC to SC 28

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-03-2020 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.



The petitioner has approached this Court for a direction to the respondents to consider the case of the petitioner for transfer sympathetically considering the fact that the petitioner's wife is suffering from old age ailments.

Learned counsel for the petitioner submits that the wife of the petitioner is suffering from various ailments. He submits that on the ground of illness of wife of the petitioner, his case should be considered for transfer and posting to inter-district.

Considering the aforesaid, the writ petition is disposed of with liberty to the petitioner to file a detailed representation indicating therein ailments of his wife and other materials for sympathetic consideration of his case. In the event the petitioner files a detailed representation, the Director, Primary Education, Government of Bihar, Patna will consider the case of the petitioner in accordance with Bihar Nationalized Elementary Teacher Transfer (Disciplinary Action and Promotion), Rule 2018.

It is made clear that the respondents have to examine the scheme of Rules relating to transfer and posting for Inter-District and if the Rule permits then the case of the petitioner may be considered for transfer and posting of Inter-District .



With the aforesaid observations and directions, the
present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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