

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19538 of 2019

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Asha Kumari Wife of Mahavir Prasad Sinha Resident of Jijay Road, Srinagar,
Near B.K.D.A.V. Public School, Siwan, P.S.-Muffasil, Siwan, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna
2. The Principal Secretary Education Department, Government of Bihar, Patna
3. The Director Education Department, Government of Bihar, Patna
4. The Deputy Development Commissioner-cum-Chief Executive Officer-cum-
Secretary Zila Parishad, Siwan
5. The Chairman District Board, Siwan
6. The Additional Chief Executive Officer Zila Parishad, Siwan
7. The District Magistrate Siwan
8. The District Education Officer Siwan
9. The District Programme Officer Siwan
10. The Block Education Officer Daraunda, Siwan
11. The Incharge Headmaster High School cum Inter College, Hadsar, Dhanauti,
District-Siwan
12. Sunil Yadav Assistant Teacher, High School cum Inter College, Hadsar,
Dhanauti, District-Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.
For the Respondent/s : Mr.Madanjeet Kumar GP-20

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 29-06-2020 The matter has been listed today for consideration
through Video Conferencing.

Learned counsel representing the petitioner, State and
counsel for the Respondent Nos. 5 and 6 are appearing and



making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard the parties.

The grievance of the petitioner is that she has been subjected to a penal transfer. The learned counsel for the Zila Parishad who has issued the transfer order, upon, instruction, submits that the Parishad would not be insisting on the petitioner's transfer from High School-cum-Inter College Hadsar, Dhanauti, Dist. Siwan to the other school of the District which was a penal transfer, however, seeks liberty that the Parishad may be allowed to proceed against the petitioner for the illegalities which, as per petitioner's submission, formed the basis of penal transfer since issue in the instant writ petition is the issue of transfer and not the punishment. Petitioner's counsel submits that so far petitioner has not disturbed by the virtue of the transfer order she would also be at liberty to participate in the proceedings or action contemplated in accordance with law.

In view of the rival submissions, no adjudication is called for in the instant writ proceedings. It is needless to observe that the action, whatsoever against the petitioner, would have to be



taken in accordance with law and after complying with the principles of natural justice.

The writ petition stands disposed off.

(Madhuresh Prasad, J)

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