

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 22457 of 2019

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Daymanti Kumari Wife of Sri Ram Pukar Yadav Resident of Village- Belly,
Post Office- Utren, Police Station- Konch, District- Gaya. At present posted
and working as an Assistant Teacher in Govt. Middle School Khajuria,
Anchal- Bankey Bazar, District- Gaya.

... .. Petitioner/s

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, Magadh Division, Gaya.
5. The District Education Officer-cum- the Chairman, District Elementary
Teachers Promotion and Transfer Committee, Gaya.
6. The District Education Officer, Gaya.
7. The District Programme Officer (Establishment)-cum- the Member
Secretary, District Elementary Teachers Promotion and Transfer Committee,
Gaya.
8. The District Programme Officer (Establishment), Gaya.
9. The Block Education Officer, Bankey Bazar, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Umesh Kumar Mishra, Advocate
For the Respondent/s : Ms Shilpa Singh, GA XII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 22-06-2020 As of now, the Courts have not resumed normal
physical hearing. The matter, therefore, has been listed today
for consideration through Video Conferencing.

Learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings with the



aid of audio visual technology.

Heard learned counsel for the petitioner and the respondent-State.

It is submitted that petitioner has exercised her option for transfer by giving three choices vide Annexure 3 dated 07.02.2012. Petitioner complains that in spite of option, transfer has not been done as per the policy decision framed by the Education Department dated 10.02.2017 bearing No 92 (Annexure 2 to the writ petition).

Ms Shilpa Singh appearing for the respondent-State draws the attention of the Court towards paragraph 12 of the counter affidavit. The stand of the State is that the matter of the petitioner would be placed before the next meeting of the Transfer Committee for consideration in terms of Annexure 2.

Since the consideration is to be done by the Transfer Committee, this Court does not consider it appropriate to keep the matter pending as the issue has yet to be considered by the competent authority.

Writ petition is disposed of with specific direction that the Transfer Committee, headed by Respondent No 5, District Education Officer -cum- Chairman, District Elementary Teachers Promotion and Transfer Committee, Gaya to consider



the petitioner's case expeditiously without any undue delay and
in the next meeting of the Committee.

(Madhuresh Prasad, J)

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