

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1526 of 2020

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1. Bheem Prasad S/o Late Rameshwar Lal Resident of Mohalla- Mohibali Lane Mekhlautganj, P.O.- Head Office, Gaya, P.s.- Kotwali, District- Gaya, Bihar- 823001, at present Assistant Teacher Middle School, Bighaura, Tekari.
 2. Vijay Choudhary S/o Jageshwar Choudhary Resident of Village- Kamalpur, P.O.- Bhalua 2 Via Chakand, P.s.- Belaganj, District- Gaya, at present Assistant Teacher Middle School, Chirjchi Bigha, Belaganj, Gaya, Bihar.
 3. Rajesh Kumar S/o Late Raghunath Prasad Resident of Vishnu Aushdhalya Bhawan, Rajendra Path, New Godown more, P.O.- New Godown, P.S.- Kotwali, Distt.- Gaya, Bihar, at present urdu Middle School Bhikachore Belaganj, Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary Govt. of Bihar, Patna.
3. The Principal Secretary Human Resource Department, Govt. of Bihar, Patna.
4. The Director Primary Education, Bihar, Patna.
5. The Distt. Magistrate Gaya.
6. The District Education Officer Gaya.
7. The Distt. Programme Officer (Establishment) cum Chairman Distt. Primary Teacher Promotion and Teacher Committee, Gaya.
8. The Block Education Extension Officer Belaganj, Gaya.
9. The Block Education Extension Officer Tekari, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Tiwary
For the Respondent/s : Mr.Smt. Shilpa Singh (Ga12)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

The present writ application has been filed for a
direction to the respondents to transfer the petitioner as per Rule
3 read with Rule 5 (Kha) of Bihar Nationalized Elementary



Teacher Transfer (Disciplinary Action and Promotion), Rules, 2018.

Learned counsel for the petitioners submits that in the case of Lalan Kumar & Ors. (C.W.J.C. No. 17306 of 2019), a bench of this Court disposed of the writ petition with a direction to the District Programme Officer (Establishment), Gaya to consider the case of the petitioner for transfer in view of the decision of the Education Department.

Without entering into the merit, the present writ application stands disposed of with a direction to the District Programme Officer (Establishment), Gaya to consider the case of the petitioners for transfer in terms of Rule 3 read with Rule 5 (kha) of Bihar Nationalized Elementary Teacher Transfer (Disciplinary Action and Promotion), Rules, 2018 at the earliest preferably within a period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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