

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3901 of 2021**

1. Yugesh prasad Son of Virendra Prasad Resident of Village and P.S. - Raushanganj, District- Gaya at present posted as Assistant Teacher, of Middle School, Navakhap, Imamganj, Gaya (in the pay scale of Rs. 34540/-)
2. Amrendra Kumar Son of Ramchandra Thakur Resident of Village - Manjari Kala Anjan, P.S. - Raushanganj, District- Gaya at present posted as Assistant Teacher in Middle School Bishunpur, P.S. - Bankey Bazar, District- Gaya.
3. Niranjana Kumar Nirala Son of Bindeshwar Choudhary Resident of Mohalla - Ram Nagar, Road No. 4, P.S. - Hazaribagh Town, District- Hazaribagh (Jharkhand) at present posted as Assistant Teacher in Middle School Barheta, P.S. - Bankey Bazar, District- Gaya.
4. Dev Nath Choudhary Son of Lakhan Choudhary Resident of Village - Bhuiyan Bigha, Gurua, P.S. Gurua, District- Gaya at present posted as Assistant Teacher in Middle School Balasot, P.S. - Bankey Bazar, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Regional Deputy Director of Education, Magadh Division, Gaya.
3. The District Magistrate, Gaya.
4. The District Education Establishment Committee, Gaya through its Chairman.
5. The District Education Officer cum Chairman of District Education Establishment Committee, Gaya.
6. The District Programme Officer, (Establishment) Gaya.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Binod Kumar  
For the Respondent/s : Mr. Jitendra Kumar Roy ( Sc13 )

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      02-03-2021      Grievance of the petitioners in the present application is that their choice posting has not been considered by the respondents under Rule 3 read with 5 (kha) of Bihar Nationalized Elementary Teacher Transfer (Disciplinary Action



and Promotional Rules, 2018.)

Learned counsel for the petitioners submits that till date no decision was taken by the respondents although the Rule provides option for exercising choice posting during the service.

Considering the aforesaid, the writ petition is disposed of with liberty to the petitioners to approach the Director, Primary Education alongwith a copy of this order and request for choice posting in terms of Rule 3 read with 5 (kha) of Bihar Nationalized Elementary Teacher Transfer (Disciplinary Action and Promotional Rules, 2018.)

The Director, Primary Education shall pass reasoned order on the request of the petitioner for their choice posting within a period of four months from the date of filing of the representation alongwith a copy of this order.

With the aforesaid, the writ application stands disposed of.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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