

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4878 of 2020

1. Ram Chandra Prasad Son of Late Jagdish Mahto Resident of Village- Kespa, Police Station- Tekari in the district of Gaya, Presently Posted as an Assistant Teacher in Primary School, Budha- Budhi under Dumariya Block in the district of Gaya.
2. Md. Nazim Son of Md. Hashim Resident of Village- Lakhna, Police Station- Chakand in the district of Gaya, Presently Posted as an Assistant Teacher (Urdu) in Middle School, Karhani under Dumariya Block in the district of Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director Primary Education, Government of Bihar, Patna.
4. The Additional Secretary Education Department, Government of Bihar, Patna.
5. The Regional Deputy Director of Education Magadh Division, Gaya.
6. The District Education Officer Gaya.
7. The District Programme Officer (Estb.) Gaya.
8. The Block Education Officer Dumariya in the district of Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar
For the Respondent/s : Mr.Jitendra Kr. Roy 1 (SC-13)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2021 The present writ petition has been filed seeking the following reliefs:-

“I. To direct the respondents to consider the case of the petitioners for their transfer in pursuance to the order contained in Memo No. 92 dated 10.02.2017 issued under the signature of Additional Secretary, Education Department, Government of Bihar, Patna.



- II. *Also to direct the respondents to consider the case of the petitioners for their transfer as per Rule 3 read with Rule 5(kha) of Bihar Nationalized Elementary Teacher Transfer (Disciplinary Action & Promotion) Rule, 2018 (hereinafter referred in short Rule, 2018) as per the option of transfer given by the petitioners.*
- III. *Also for any other relief/reliefs for which the petitioners are found to be entitled in the eye of law.”*

At the outset, the learned counsel for the petitioners seeks liberty to approach the respondent no. 7 i.e. the District Programme Officer (Establishment), Gaya for redressal of their grievances.

Accordingly, the present petition stands disposed off with liberty to the petitioners to approach the respondent no. 7 and in case appropriate representation is filed within a period of two weeks from today, necessary orders shall be passed thereon by the respondent no. 7, in accordance with law, within a period of six weeks thereafter.

The petition stands disposed off on the aforesaid terms.

S.Sb/-

(Mohit Kumar Shah, J)

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