

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9467 of 2020**

=====

Jyoti Kumari Daughter of Umesh Choudhary, Resident of Village - Manika Harikesh, Post Office- Manika, Police Station- Mushari, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. The Director, School Education, Government of Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. The Regional Deputy Director Education, Tirhut Division, Muzaffarpur.
5. The District Magistrate, Muzaffarpur.
6. The District Programme Officer, Muzaffarpur.
7. The District Education Officer, Muzaffarpur.
8. The Block Education Officer, Kudhni-Block, Muzaffarpur.
9. The Warden Kasturba Gandhi Balika Vidyalaya, Turki- Block, Kudhni, District - Muzaffarpur.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr.Mazharul Hassan  
For the Respondent/s : Mr.Lalit Kishore ( Ag )

=====

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      23-03-2021                      The present writ petition has been filed for directing the respondent authorities to enable the petitioner to rejoin at Kasturba Gandhi Balika Vidyalaya, Turki, Kudhni.

The brief facts of the case are that the petitioner was appointed vide letter dated 24.02.2015 and was directed to submit joining at Turki Kasturba Gandhi Balika Vidyalaya, Kudhni,



Muzaffarpur. It is submitted that the service conditions contained therein, especially Clause 3 thereof, would show that once, the candidate joins at a project school, he shall not be transferred thereafter. Nonetheless, the petitioner was transferred from the Kasturba Gandhi Balika Vidyalaya, Kudhni to Kasturba Gandhi Balika Vidyalaya, Moraul, vide letter dated 07.09.2018, issued by the District Programme Officer, Bihar Education Project, Muzaffarpur. The petitioner is stated to have then represented before the District Magistrate, Muzaffarpur, as also before the Regional Deputy Director of Education, Tirhut Division, Muzaffarpur, whereupon the Regional Deputy Director of Education, Tirhut Division, Muzaffarpur, by his order dated 16.02.2019 has stayed the order of transfer of the petitioner and has directed her to work at Kasturba Gandhi Balika Vidyalaya, Kudhni.

It is submitted by the learned counsel for the petitioner that despite the aforesaid order issued by the Regional Deputy Director of



Education, Tirhut Division, Muzaffarpur, dated 16.02.2019, the petitioner is not being allowed to rejoin at Kasturba Gandhi Balika Vidyalaya, Kudhni.

I have heard the learned counsel for the parties and perused the materials on record and I deem it fit and proper to direct the respondent authorities to ensure joining of the petitioner forthwith at Kasturba Gandhi Balika Vidyalaya, Kudhni, subject to verification of the fact regarding the Regional Deputy Director of Education, Tirhut Division, Muzaffarpur, having stayed the order of transfer of the petitioner by an order dated 16.02.2019 and having directed her to join at Kasturba Gandhi Balika Vidyalaya, Kudhni as also subject to the said order dated 16.02.2019 having not been either recalled or superseded / annulled by any higher authorities.

The writ petition stands disposed of with the aforesaid directions.

**(Mohit Kumar Shah, J)**

Ajay/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

