

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5600 of 2021

1. Tuntun Kumar Son of Prem Lal Roy Resident of Village- Ram Khetriya, P.O.- Laxmipur (Kakokha), P.S.- Jamalpur, Via Virol, District- Darbhanga.
2. Manjur Alam Son of Md. Samsul Hoda Resident of Village- Marbatpur, P.O.- Dhumnagar, P.S.- Murbatpur, District- Katihar.
3. Md. Abdullah Son of Md. Khalil Resident of at Bilashpur, P.O.- Murla, P.S.- Ramgarhwa, District- East Champaran.
4. Zeyaul Haque Son of Md. Abbas Ali Resident of ward no. 10, Belwatiya, Shukul Pakar, District- East Champaran.
5. Bineet Kumar Singh Son of Bipin Singh Resident of Village- Ramnagar Khagaria, Telihar, District- Khagaria.
6. Rajnish Kant Son of Shankar Prasad Resident of Village- Gram Bhatagama, Post- Khariya Panchayat, Karharia South, Block Bariyarpur, District- Munger.
7. Pradeep Kumar Son of Dinesh Prasad Yadav Resident of Ward no. 3, Rupauli, P.O.- Singioun, Madhepura, Jiwachpur, District- Madhepura.
8. Md. Aftab Alam Son of Mohammad Farooque Resident of Village- Khaira Gadhiya, Ward no. 14, P.O.- Khagra Chanda, P.S.- Narpatganj, District- Araria.
9. Amim Alam Son of Md. Shamim Alam Resident of Village- Samastipur, Ward no. 3, P.O. and P.S.- Simri Bakhtiyarpur, District- Saharsa.
10. Manish Kumar Son of Jireshwar Choudhary Resident of Village- Behat, ward no. 11, P.O.- Dehad, P.S.- Sonbarsa, District- Saharsa.
11. Mahesh Kumar Son of Mahendra Yadav Resident of Village- Kharik Patra Tola, P.O. and P.S.- Kharik Bazar, District- Bhagalpur.
12. Rudal Kumar Son of Rambharos Mahto Resident of Village- at and P.O.- Parna, P.S.- Neema Chandpura, District- Begusarai.
13. Saket Ranjan Son of Vaidhnath Prasad Singh Resident of Village- Ward No. 41 Mohan Eghu, P.O. and P.S.- Eghu, District- Begusarai.
14. Md. Sanaullah Son of Abdullah Bedil Resident of Village-at Mirzapur, P.O.- Dhamsain, District- Darbhanga.
15. Faij Ansari Son of Maneer Ansari Resident of Village and P.O.- Manjhariya, P.S.- Ramgarhwa, District- East Champaran.
16. Shamsul Haque Son of Zaan Alam Resident of Ward No. 7, P.O.- Bela, P.S.- Ramgarhwa, District- East Champaran.
17. Md. Khalid Husain Son of Md. Nejamuddin Resident of at Alakhabani, P.O.- Sitalpur, P.S.- Kalayanpur, District- East Champaran.
18. Md. Faruque Azam Son of Abdul Rashid Resident of Village- Choti Kachwa, P.O.- Sujapur, P.S.- Barari, District- Katihar.

... .. Petitioner/s

Versus



1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director Secondary Education, Bihar, Patna.
4. The Director Primary Education, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Priyadarshi Matri Sharan, Advocate Mr. Rakesh Narayan Singh, Advocate Mr. Vikas Bharti, Advocate
For the Respondent/s	:	Mr. Ajay Kumar Rastogi, AAG-10 Mr. Shashi Shekhar Tiwary, AC to AAG-10

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 20-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

1. That this application is being filed for challenging the validity of rule 15(iv) of Bihar Panchayat Primary school Service (appointment, promotion, transfer, disciplinary proceeding and service condition) rule 2020 along with rule 16(iv) of the Bihar District Board Secondary and Senior Secondary School Service (appointment, promotion,



transfer, disciplinary proceeding and service condition) rule 2020, rule 16(iv) of Bihar Municipal body Secondary and Senior Secondary School Service(appointment, promotion, transfer , disciplinary proceeding and service condition) rule 2020 and rule 15(iv) of the Bihar Municipal Elementary School Service (appointment, promotion, transfer , disciplinary proceeding and service condition) rule 2020 by which the respondent state in complete violation of article 14 of the constitution of India has discriminated the general teachers and has provided one time transfer option to handicapped teachers and women teacher only from their recruitment unit including inter districts with vacant seat facility but has made provision regarding male teachers for their transfer on mutual basis from different to any recruitment unit on the basis of candidate available in their branch.

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition.

Permission granted.

The present petition stands dismissed as withdrawn.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	21.01.2022
Transmission Date	

