

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15870 of 2021

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Ram Uday Mahto Son of Siya Ram Mahto Resident of ward no. 02, Near Sangam Bihar Nala, P.O. and P.S.- Singhaul, District- Begusarai, Pin Code- 851134.

... .. Petitioner

Versus

1. The State of Bihar Through the Principal Secretary, Education Department, Bihar, Patna.
2. Director Primary Education, Education Department, Bihar, Patna.
3. District Magistrate Darbhanga.
4. Regional Deputy Director of Education Darbhanga Division, Darbhanga.
5. District Education Officer Darbhanga.
6. District Programme Officer (Establishment) Darbhanga.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Arpit Anand, Advocate

For the Respondent/s : Mr.Vivek Anand Amritesh, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-03-2023 Learned counsel for the petitioner undertakes to remove the defects, if any, within two weeks from today.

Subject to above undertaking, this Court has heard learned counsel for the petitioner and learned counsel for the State.

By the impugned order dated 06.08.2021 the petitioner has been transferred from the post of Block Education Officer, Darbhanga Sadar, Darbhanga to the post of Junior Planning Officer (Headquarters) Education Department, Bihar, Patna.



Learned counsel for the petitioner submits that petitioner has been transferred from the post of Block Education Officer, Darbhanga Sadar, Darbhanga within a period of one year only. It is submitted that there is no valid reason for his transfer within a period of one year.

It is submitted that the petitioner had made a representation in this regard on 10.08.2021 before the Director (Primary Education), Education Department, Govt. of Bihar, Patna wherein he has brought to his notice the various facts and circumstances pertaining to his case and also that his transfer within one year was malafide.

Learned counsel for the State has submitted that from the statements made in the writ application itself, it would appear that the District Education Officer, Darbhanga had directed for institution of an F.I.R. against the petitioner.

Be that as it may, in the nature of the grievance raised by the petitioner, this Court deems it just and proper to direct the Director (Primary Education), Education Department, Bihar (respondent no. 2) to look into the representation of the petitioner as contained in Annexure '23' to the



writ application, give an opportunity of hearing to the petitioner and take an appropriate view by passing a reasoned order within a period of two months from the date of receipt/production of a copy of this order.

This Writ Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J.)

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