

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12685 of 2022

1. Awadh Kumar Singh S/o- Vidyanand Singh, Resident of Village- Bela, P.O.- Chiriyawan, P.S.- Atari, Distt.- Gaya.
2. Niranjana Kumar, S/o- Krishnandan Singh, Resident of Village and P.O.- Arawan, P.S.- Wazirganj, Distt.- Gaya.
3. Surendra Kumar, S/o- Ramanugrah Prasad Sharma, Resident of Village- Murgiyachak, P.O.- Tungi, P.S.- Wazirganj, Distt.- Gaya.
4. Alakhdeo Prasad, S/o- Late Yogi Mahto, Resident of Village- Juri, P.O. and P.S.- Bankey Bazar, Distt.- Gaya.
5. Subir Kumar Singh, S/o- Late Gita Prasad, Resident of Mohalla- Lakhibagh, Manpur, P.S.- Muffasil, Distt.- Gaya.
6. Rup Narayan Thakur, S/o- Late Sidhanath Thakur, Resident of Village and P.O.- Itwan, P.S.- Haspura, Distt.- Aurangabad.
7. Pushpa Sharma, W/o- Pravin Kumar, Resident of Mohalla- Magadh Colony, Road No. 10, P.S.- Magadh Medical, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Additional Chief Secretary-cum- Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Director, Primary Education, Department of Education, Govt. of Bihar, Patna.
4. The Regional Deputy Director of Education, Magadh Division, Gaya.
5. The District Education Officer-cum- the Chairman, District Elementary Teachers Promotion Committee, Gaya.
6. The District Programme Officer (Establishment)-cum- Member Secretary, District Elementary Teachers Promotion Committee, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Onkar Kumar, Adv. Mr. Nawal Kishore Singh, Adv.
For the Respondent/s	:	Mr. Madhaw Prasad Yadaw (Gp 23) Mr. Arvind Kumar, AC to GP 23

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

3 11-01-2023 Both the learned counsels are *ad idem* with the issue involved in the present case can be concluded in terms of the



directions issued by this Court in the case of **C.W.J.C. No. 20647 of 2019, Dharmendra Kumar Singh Vs. State of Bihar** decided on 16.08.2019, wherein, the Court passed following orders without entering into the merit;

“Heard learned counsel for the petitioners and learned counsel appearing for the respondent State.

The present writ application has been filed for a direction to the respondents to transfer the petitioners as per Rule 3 read with Rule 5 (kha) of Bihar Nationalized Elementary Teacher Transfer (Disciplinary Action and Promotion), Rules 2018.

Without entering into the merit, the present writ application stands disposed of with a direction to the District Programme Officer (Establishment), Gaya to consider the case of the petitioners for transfer in terms of Rule 3 read with Rule 5 (kha) of Bihar Nationalized Elementary Teacher Transfer (Disciplinary Action and Promotion) at the earliest preferably within a period of 60 days from the date of receipt/production of a copy of this order.



With the aforesaid, the present writ application stands disposed of.”

Keeping in view the aforesaid order shall apply *mutatis mutandis* to the present case too.

Writ petition is disposed of accordingly.

(Sanjeev Prakash Sharma, J)

Suraj/-
Item No. 43

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