

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12975 of 2022

1. Md. Shahid, son of Late Imamul Haque @Inamul Haque, resident of Mohalla-Isha Nagar, Naya Tola, Phulwarisharif, Police Station-Phulwarisharif in the district of Patna.
2. Shamim Akhtar, son of Md. Shahid, resident of Village and P.O.-Bela, Police Station-Dariyapur in the district of Saran.
3. Firdos Jahan, Wife of Md. Shakil Ahmad @ Md. Sadik Hasmi resident of Mohalla-Millat Nagar, Bauli, Police Station-Phulwarisharif in the district of Patna.
4. Nishat Anjum, Wife of Md. Manwar, resident of Nishat Villa, Federal Colony, Ishpur, Phulwarisharif, Police Station-Phulwarisharif in the district of Patna.
5. Kishwar Khatoon, Wife of Abu Zafar, resident of Aashiana E-Zafar, Dargah Road, Masoom Gali, Sultanganj, Police Station-Sultanganj in the district of Patna.

... .. 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 Regional Deputy Director of Education, Patna Division, Patna.
5. The District Education Officer, Patna.
6. The District Program Officer (Estb.), Patna.
7. The Block Education Officer, Bihta in the district of Patna.
8. The Block Education Officer, Dulhin Bazar, in the district of Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate
For the Respondent/s : Mr. Mukund Mohan Jha, AC to GP-27

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL JUDGMENT

Date : 16-02-2023

Heard the parties.

2. Both the counsels agree that the writ petition can be



disposed of in terms of the similar order passed in other writ applications. This Court finds that in C.W.J.C. No. 17570 of 2019 vide order, dated 30.08.2019, the co-ordinate Bench passed following order:

“Heard learned counsel for the petitioner and the respondents.

The present writ applications have 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 applications stand 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), Rules, 2018 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 writ petitions stand disposed of.”

3. In this case also, the counsel for the petitioners is satisfied that the aforesaid directions are passed.

4. Accordingly, it is directed that the District Programme Officer (Establishment), Patna, shall 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), Rules, 2018, at the earliest preferably within a period of sixty days from the date of receipt of this order.

5. The writ petition is, accordingly, disposed of.

(Sanjeev Prakash Sharma, J)

Ashwini/-
Item No.1

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.02.2023
Transmission Date	NA

