

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18186 of 2022

1. Mithilesh Ram son of Late Mani Ram, Resident of Mohalla-Shastri Nagar, Road No. 6, Gaya, Police Station-Rampur in the district of Gaya.
2. Krishna Nandan Kumar, son of Sri Kameshwar Prasad, resident of Village-Masautha Khurd, Police Station-Muffasil in the district of Gaya.
3. Kamlesh Kumar, son of Sri Karu Prasad, resident of Village-Makhdumpur, Police Station-Makhdumpur in the district of Jehanabad.

... .. 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, Magadh Division, Gaya.
5. The District Education Officer, Gaya.
6. The District Program Officer (Estb.) Gaya.
7. The Block Education Officer, Dumaria in the district of Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.
For the Respondent/s : Mr. Madanjeet Kumar , GP 20

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 06-01-2023 1. Both the learned counsels are ad idem in that the issue involved in the present case stands concluded by this Court's order passed in **C.W.J.C. No. 8239 of 2022** decided on 20.07.2022, herein under:

“ 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 coordinate 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”

The case of the petitioner shall be covered *mutatis mutandis* to the aforesaid order.

Writ petition stands disposed of accordingly.

(Sanjeev Prakash Sharma, J)

Suraj/-
Item No. 92

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