

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9253 of 2025

Upendra Kumar S/o Late Bunilal Rai, Residnet of Village-Tulsi Nagar, P.O.-
Chhatauni, P.S.- Tariyani District- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary, Department of Education, Bihar at Patna.
3. The Secretary, Department of Education Bihar at Patna.
4. The Director, Administration Cum Additional Secretary Department of Education Bihar at Patna.
5. The Director, State Council of Education and Research and Training (S.C.E.R.-T), Mahendru, Patna.
6. Smt. Shaweta Sonali, Incharge Principal of Primary Education Teacher College, Masaurhi, P.O.-Masauri, District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh, Sr. Adv.
Mr. Abhay Kumar, Adv.
For the Respondent/s : Mr. Standing Counsel (04)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-11-2025 Heard Mr. Bindhyachal Singh, learned Senior Advocate along with Mr. Abhay Kumar, learned Advocate for the petitioner and the learned Advocate for the State.

2. The petitioner is aggrieved with the Memo No.- 2/M10-121/2022 206 dated 04.03.2024 (Annexure-P/2), whereby he was deputed on the post of Lecturer in Primary Teacher Education College, (P.T.E.C) Haweli, Kharagpur Munger from Primary Teacher Education College, Masaurhi and in his place, respondent no.6 was deputed as In-charge Principal in Primary Teacher Education College, Masaurhi; however, later



on, she has been shifted to another place and, as such, the post again became vacant.

3. Learned Senior Advocate while assailing the order of deputation has submitted that the very deputation of the petitioner against a non-vacant post in that particular subject on account of the fact that two other persons have been holding the post in the subject clearly shows *malafide* on the part of respondent no.5, the Director, State Council of Education and Research and Training (S.C.E.R.-T), Mahendru, Patna. It is the contention of the petitioner that besides the aforesaid facts, his deputation at the distance of 300 Km. from the Headquarter is also strengthen the aforesaid submission. For redressal of the grievance, the petitioner has time and again approached before respondent no.5, but no decision has been taken, compelling the petitioner to approach before respondent no.2, the Additional Chief Secretary, Department of Education, Bihar, by filing a detailed representation for cancellation of his deputation, the copy of which has been placed on record as Annexure-P/6, but till date no decision has been taken; hence, the present writ petition.

4. Learned Advocate for the State fairly submitted that since the petitioner has already approached before the authority concerned, who shall look into the matter and pass an



appropriate order.

5. Considering the submissions advanced by the learned Advocate for the respective parties and taking note of the grievance, as discussed hereinabove, instead of keeping the matter pending and asking for filing of counter affidavit, this Court thinks it fit and appropriate to dispose off the writ petition, directing the respondent no.2 to look into the grievance of the petitioner as has been raised in his representation (Annexure-P/6) and dispose off the same by a reasoned and speaking order, preferably within a period of eight weeks from the date of receipt/production of a copy of this Court.

6. The writ petition stands disposed off with the aforesaid direction.

(Harish Kumar, J)

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