

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10210 of 2024

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Bidya Nand Ram, Son of Raghuni Ram, Resident of Village- Dhurgaon, Ward
No.- 06, P.S.- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Madhepura, District- Madhepura.
5. The District Programme Officer (Estab.), Madhepura, District- Madhepura.
6. The Block Education Officer, Madhepura, District- Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Adv. Mr. Dhananjay Kumar Gupta, Adv. Mr. Deepak Kumar, Adv. Mr. Dhandev Kumar, Adv. Ms. Isha Mishra, Adv.
For the Respondent/s	:	Mr. Ravi Bhardwaj, AC to GA-13

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 09-09-2025 Heard the parties.

2. The petitioner is aggrieved with the order as contained in Memo No.621 dated 08.06.2024 passed by the District Education Officer, Madhepura, by which the application of the petitioner for his transfer in pursuant to the Bihar Nationalised Preliminary School Teachers Transfer, Disciplinary Action and Promotion Rules, 2018 (for short 'the Rules, 2018') came to be rejected.

3. Learned Advocate for the petitioner submitted that



in pursuant to the Notification dated 21.03.2018, especially under Rule-5, the petitioner being senior most teacher within the district of Madhepura has filed an application on 23.05.2022 for optional transfer in four of the schools, the particulars of which is duly mentioned in para-10 of the writ petition. On receipt of the application, the District Education Officer, Madhepura has asked the petitioner to file his option in a duly published proforma, which has also been done by the petitioner but to no effect, compelling him to approach before this Court.

4. A counter affidavit has been filed on behalf of respondents no.4 to 6.

5. It is contended that the transfer application of the petitioner could not be considered because the Education Department has issued a letter contained in Memo No.2598 dated 11.11.2023 by which the transfer of teachers and staffs of the schools is put on halt till further order (Annexure-R/A).

6. At this juncture, learned Advocate for the petitioner urged that besides the fact, the petitioner suffered an accident due to which he got fracture in his leg, he is going to superannuate in the month of January, 2026 and for his remaining four months services, he seeks indulgence of the respondent authorities to accept his option for transfer.



7. Having considered the submissions set forth and taking note of the fact that the petitioner is on the verge of superannuation and he has already submitted his option in a duly filled up proforma (Annexure-P/10); let the same be considered by respondent no.4, the District Education Officer, Madhepura, preferably within a period of two weeks' from the date of receipt/production of a copy of this order in accordance with the relevant circular(s) governing the case of the petitioner.

8. The writ petition stands disposed off.

(Harish Kumar, J)

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