

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11497 of 2023

-
1. Md. Shamsuzzama Son of Hafiz Uddin, Resident of Village and P.O.-Dhangarha P.S.-Kodhobari Distirct-Kishanganj Presently Working as attendant (Peon) in High School Payi Bigha, Belaganj, District-Gaya.
 2. Md Sajjad Alam Son of Md Mashiruddin @ Mashiruddin Resident of Village-Kashtola Tangtangi P.O.-Rupni P.S.-Bahardurganj, District-Kishanganj. Presently Working as attendant (Peon) in High School Chakand, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Addl. Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director Secondary Education Department, Govt. of Bihar, Patna.
3. Regional Deputy Director of Education (RDDE) District-Gaya.
4. Regional Deputy Director of Education (RDDE) Distt.-Purnia
5. District Education Officer Gaya, District-Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar, Advocate

For the State : Mr. Jitendra Kr. Roy 1, SC-13

Mr. Jai Prabhat Kishore, AC to SC-13

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 06-05-2025

Heard Mr. Md. Ziaul Quamar, learned counsel appearing on behalf of the petitioners and Mr. Jitendra Kumar Roy, learned SC-13 assisted by Mr. Jai Prabhat Kishore, learned AC to SC-13 appearing on behalf of the State.

2. Petitioner nos. 1 and 2, who are working as



Class - IV employees at High School Payi Bigha, Belaganj, District - Gaya and High School Chakand, District - Gaya, respectively, have been transferred to Purnea Division under the administrative control of respondent no. 4 - Regional Deputy Director of Education, Purnea vide order dated 30.06.2022, issued by the Director Secondary Education Department, Government of Bihar, Patna.

3. The grievance of the petitioners is that, though, they have been transferred from Gaya Division to Purnea Division by the aforesaid order dated 30.06.2022, they have not been allowed to join at Purnea Division by the respondent no.4 - Regional Deputy Director of Education, Purnea.

4. The respondent no.4 – Regional Deputy Director of Education (RDDE), Purnea has filed a counter affidavit, wherein, in paragraph no. 15, it has been stated that the petitioner nos. 1 and 2 had given their option for posting at Bahadurganj, District-Kishanganj and Bahadurganj/ Kochadhaman, District – Kishanganj, respectively. He also stated that there were four vacancies in Kishanganj district and the employees who were senior to



the petitioners have been accommodated therein.

5. Though, the respondent no.4, in the counter affidavit filed, has highlighted the preference of place of posting given by the petitioners and the vacancy position in the district of Kishanganj, wherein, the employees senior to the petitioners are stated to have been accommodated, the fact remains that the transfer order dated 30.06.2022 issued by the Director Secondary Education Department, Government of Bihar, Patna, insofar as the petitioners are concerned, has not been cancelled or modified in any manner.

6. Under the circumstance, since the petitioners have been posted at Purnea Division under the administrative control of the respondent no. 4 - Regional Deputy Director of Education, Purnea vide order of transfer dated 30.06.2022 issued by the Director Secondary Education Department, Government of Bihar, Patna, which is stated to have not been subsequently cancelled or modified, this writ petition is hereby disposed of with a direction to the respondent no. 4 - Regional Deputy Director of Education, Purnea to allow the petitioners to join at



Purnea Division, in terms of the order of transfer dated 30.06.2022 issued by the Director Secondary Education Department, Government of Bihar, Patna.

7. The writ petition stands disposed of with the above direction.

(Nani Tagia, J)

Nilmani/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	08.05.2025
Transmission Date	N/A

