

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.558 of 2024

Rakesh Kumar Thakur Son of Shri Binodanand Thakur, Resident of At-Ayachi Nagar, Benta Chowk, P.O.- D.M.C. Campus, Police Station-Laheriasarai, District- Darbhanga, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Education Dept. Govt. of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The Regional Deputy Director of Education, Darbhanga Division, Darbhanga.
4. The District Education Officer, Darbhanga.
5. The District Programme Officer (Establishment), Darbhanga.
6. The Block Development Officer, Sadar, Darbhanga.
7. The Block Education Officer, Sadar, Darbhanga.
8. The Block Panchayati Raj Officer, Sadar, Darbhanga.
9. The Panchayat Employment Unit Kansi, Sadar Darbhanga through it's Panchayat Secretary.
10. The Panchayat Secretary, Gram Panchayat Employment Unit Kansi, Sadar Darbhanga.
11. Sri Vijay Kumar Madhav, son of not known the Panchayat Teacher-cum-Incharge Headmaster, Primary School Narkatia Mushahari, Kansi, Sadar Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s : Mr.Chandrashekhar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 08-09-2025 None appears on behalf of the petitioner.

2. Learned Advocate for the State, Mr.
Chandrashekhar Singh is present.

3. In the case in hand, the challenge is made to the
office order bearing Memo No. 1718 dated 17.09.2022 passed



by the respondent No. 3, the Regional Deputy Director of Education, Darbhanga Division, Darbhanga, whereby the transfer order issued by the respondent No. 10 in terms of Rule 15(iii) of Bihar Panchayat Elementary School Service (Appointment, Promotion, Transfer, Disciplinary Proceeding and Service Conditions) Rules, 2020, transferring the private respondent No. 11 from Primary School Narkatiya, Mushahari to Primary School Nayatol Kansi Sadar Darbhanga, with a further direction to hand over the charge of the school to the senior most teacher i.e., the petitioner, has been stayed without any justification.

4. Learned Advocate for the State submitted that against the order of transfer dated 27.08.2022, issued by the concerned Panchayat Secretary, an appeal was preferred before the Regional Deputy Director of Education, Darbhanga Division, Darbhanga. Having considered the matter, the Regional Deputy Director of Education, Darbhanga Division, Darbhanga stayed the order of transfer of the respondent No. 11 and constituted a Two-Members Committee to enquire into the matter. The Two-Members Committee submitted its report to the Regional Deputy Director of Education, Darbhanga Division, Darbhanga, whereby vide letter No. 806 dated 15.07.2023, the



Regional Deputy Director of Education, Darbhanga Division, Darbhanga directed the District Education Officer, Darbhanga for further action in the light of the enquiry report submitted by the Two Members Committee.

5. Referring to the averments made in the counter affidavit, it is submitted that apart from the fact the petitioner has no *locus standi* to assail the order of transfer of private respondent No. 11, the impugned order has already been stayed by the Regional Deputy Director of Education, Darbhanga Division, Darbhanga and further action is directed to be taken based upon the enquiry report of the Two-Members Committee.

6. This Court having gone through the relief sought for by the writ petitioner and the response made in the counter affidavit, finds no cogent grounds to entertain the present writ petition, in absence of any *local standi* of the petitioner to challenge the transfer order issued in favour of the private respondent No. 11, besides other reasons disclosed in the counter affidavit. Accordingly, the writ petition stands dismissed.

(Harish Kumar, J)

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