IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 6752 of 2024

Nepal Chandra Puran, aged about 41 years, resident of Village- Purandih, P.O. Buruhatu, P.S. – Ichagarh, District – Seraikella – Kharsawa, Jharkhand.

....**Petitioner(s)**

Versus

1. The State of Jharkhand
2. The Director, Department of School Education and Literacy (Primary Education Directorate), P.O. & P.S. Dhurwa, District – Ranchi – Jharkhand
3. The Deputy Commissioner, P.O. – G.P.O, P.S.- Sadar, District – Ranchi, Jharkhand.
4. District Superintendent of Education, Ranchi, Jharkhand, P.O. – G.P.O, P.S.- Sadar, District – Ranchi, Jharkhand.
5. The Area Education Officer, P.O. – G.P.O, P.S.- Sadar, District – Ranchi, Jharkhand.
6. The Head Master In Charge, Government Middle School, Pundag, Ratu, P.O. & P.S. – Pundag, Ratu, District- Ranchi.
7. Urmila Kumari, wife of not known to the petitioner, Address – Government Middle School, Pundag, Ratu, P.O. & P.S Pundag, Ratu, District – Ranchi, Jharkhand

....**Respondent(s)**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner(s) : Mr. Kumar Swapnil, Advocate
For the Respondent(s) : Ms. Oishi Das, AC to AG

03/Dated:-28.09.2026

1. The instant application has been preferred by the petitioner praying therein for quashing of the office order dated 14.10.2024 (Annexure – 13) passed by the 4th Respondent, whereby the posting of the petitioner to Government Middle School, Pundag, Ratu has been cancelled and fresh posting order has been issued for transfer to Government Upgraded Middle School, Kolad, Namkum, especially in the background that the petitioner joined transferred post prior to the private respondent.

2. The grievance of the petitioner is that initially, he was working in Jamshedpur and the request transfer application of the

petitioner was duly considered and sent on 11.07.2024 and that DEC recommended the transfer of this petitioner to Ranchi on 12.09.2024, wherein the name of the petitioner was at Serial No. 186 and pursuant thereto, the petitioner joined the transferred post at Ranchi.

3. Learned counsel further submits that pursuant to a valid transfer order, the petitioner joined at Pundag, Ranchi on 19.09.2024, but all of a sudden, the private respondent also came pursuant to a transfer order and also wanted to give the joining before the concerned principal. The said joining of the private respondent was conditional as it appears from Annexure - 11.

4. The ground of subsequent transfer of the petitioner is the number of sanctioned posts with the said school.

5. Learned counsel submits that though it was a request transfer, but the law is well settled that when a transfer order has been acted upon, it becomes redundant and can't be modified by a further transfer order just within a week.

6. Learned counsel for the respondents makes two submissions:

(i) There was only three vacant sanctioned post and four teachers were posted in Government Middle School, Pundag Ratu;

(ii) The number of the petitioner was lesser than the private respondent.

7. At this stage, it is relevant to refer the joining letter of the private respondent wherein the principal of the school has

categorically mentioned there are five sanctioned post, whereas in the affidavit it has been mentioned as three vacant sanctioned post, but the fact remains that the petitioner joined on 19.09.2024 and the private respondent joined on 20.09.2024 and pursuant to that, the petitioner was against transferred by way of impugned order on 14.10.2024 to another school being Government Upgraded Middle School, Kolad, Namkum.

8. Having regards to the aforesaid argument and the factual scenario; so far, the law with regard to transfer is concerned; it is well settled that once the notification of transfer is acted upon, nothing subsists and the original notification of transfer becomes redundant for all practical purposes and the subsequent notification should not come on the way and that also within a period of one month.

9. However, this Court cannot ignore the fact that pursuant to the subsequent transfer order, the petitioner had duly joined at the newly transfer post at Government Upgraded Middle School, Kolad, Namkum and is working there and the writ was filed in the month of October, 2024 and now, we are almost in the month of October, 2026; therefore, looking to the overall facts and circumstances, no relief can be granted to the petitioner. However, the respondents shall be cautious in doing their job in future.

10. With the aforesaid observations, the instant application stands disposed of.

(Deepak Roshan, J.)

SEPTEMBER 28th, 2026
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