

(2023) 02 PAT CK 0044

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 12975 Of 2022

Md. Shahid

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision : 16-02-2023

Acts Referred:

Bihar Nationalized Elementary Teacher Transfer (Disciplinary Action and Promotion), Rules, 2018 — Rule 3, 5(kha)

Citation : (2023) 02 PAT CK 0044

Hon'ble Judges : Sanjeev Prakash Sharma, J

Bench : Single Bench

Advocate : Sunil Kumar, Mukund Mohan Jha

Final Decision : Disposed Of

Judgement

1. Heard the parties.

2. Both the counsels agree that the writ petition can be disposed of in terms of the similar order passed in other writ applications. This Court finds that in C.W.J.C. No. 17570 of 2019 vide order, dated 30.08.2019, the co-ordinate Bench passed following order:

"Heard learned counsel for the petitioner and the respondents.

The present writ applications have been filed for a direction to the respondents to transfer the petitioners as per Rule 3 read with Rule 5(kha) of Bihar Nationalized Elementary Teacher Transfer (Disciplinary Action and Promotion), Rules, 2018.

Without entering into the merit, the present writ applications stand disposed of with a direction to the District Programme Officer (Establishment), Gaya to consider the case of the petitioners for transfer in terms of Rule 3 read with Rule 5 (kha) of Bihar Nationalized Elementary Teacher Transfer (Disciplinary Action and Promotion), Rules, 2018 at the earliest preferably within a period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petitions stand disposed of.”

3. In this case also, the counsel for the petitioners is satisfied that the aforesaid directions are passed.

4. Accordingly, it is directed that the District Programme Officer (Establishment), Patna, shall consider the case of the petitioners for transfer in terms of Rule 3 read with Rule 5 (kha) of Bihar Nationalized Elementary Teacher Transfer (Disciplinary Action and Promotion), Rules, 2018, at the earliest preferably within a period of sixty days from the date of receipt of this order.

5. The writ petition is, accordingly, disposed of.