

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.301 of 2023

In
Civil Writ Jurisdiction Case No.17818 of 2022

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Chinchin Kumari, Wife of Rajeev Kumar, Resident of Ward No. 11,
Pustakalay Gauspur, Village- Rajaura, Police Station- Cheria Bariarpur,
District- Begusarai- 851131.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar,
Patna.
3. The Director (Secondary Education), Education Department, Government of
Bihar, Patna.
4. The Regional Deputy Director of Education, Munger Division, Munger,
Bihar.
5. The District Magistrate, Begusarai, Bihar.
6. The District Education officer, Begusarai Bihar.
7. The District Programme Officer (Establishment), Education Department,
Begusarai, Bihar.
8. The District Programme Officer (Madhyamik Shiksha), Education
Department, Begusarai, Bihar.
9. The Secondary/Higher Secondary Teacher Niyojan Samiti, Zila Parishad
Begusarai Bihar through Additional Collector cum Chief Executive Officer-
cum-Secretary.
10. The Additional Collector-cum-Chief Executive Officer-cum-Secretary,
Secondary/Higher Secondary Teacher Niyojan Samiti, Zila Parishad,
Begusarai, Bihar.
11. The Additional Chief Executive Officer, Zila Parishad, Begusarai, Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Pankaj Kumar Sinha, Advocate
Mr. Suman Kumar, Advocate
For the State : Mr. Apurva Kumar, AC to GA- 12
For the Zila Parishad : Mr. Akshansh Shanker, Advocate
Mr. Nikesh Kumar, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 01-07-2025

We have heard Mr. Pankaj Kumar Sinha, the learned Advocate for the appellant; Mr. Akshansh Shanker, the learned Advocate for the Zila Parishad and Mr. Apurva Kumar for the State.

2. The judgment under challenge is dated 04.01.2023 passed in C.W.J.C. No. 17818 of 2022, whereby the learned Single Judge has not interfered with the order of transfer of the petitioner to another school, 40 K.M. away, but in the same district of Begusarai.

3. It appears that despite so many years, the appellant has not joined the school and, therefore, is facing departmental proceeding.



4. So far as the merits of the case is concerned, the learned Single Judge took note of Rule 16 of the Bihar Municipal Body Secondary and Senior Secondary School Service (Appointment, Promotion, Transfer, Disciplinary Proceedings and Service Conditions) Rules, 2020 and found that on more than two occasions, option was exercised by the appellant for transfer.

5. In fact, the present transfer, which was challenged by the appellant, was on the ground of her having picked up a fight with another teacher in the same school, viz. Amit Kumar, and, therefore, for better running of the school, both the teachers including the appellant were transferred.

6. The optional district for the appellant is Begusarai and the school where she has been transferred also falls within the territorial jurisdiction of Begusarai.

7. For these reasons, we do not find it to be a fit case for interfering with the judgment of the learned Single Judge.



8. There is no merit in this appeal and is, thus,
dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Sauravkrsinha/
Krishna-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.07.2025
Transmission Date	NA

