IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 5610 of 2018

Vinay Kumar Pathak. Petitioner -Versus-

- 1. The State of Jharkhand.
- 2. The Director, Primary Education, School Education & Literacy Department, Govt. of Jharkhand, At: Project Building, Dhurwa, P.O. & P.S. Dhurwa, District-Ranchi.
- 3. The Deputy Commissioner, Khunti, At+ P.O.+P.S.+ Dist. Khunti.
- 4. The Regional Deputy Director of Education, South Chhotanagpur Region, Ranchi, P.O. + P.S. + Dist. Ranchi.
- 5. The District Superintendent of Education, Khunti, At + P.O.+ P.S. + District-Khunti.
- 6. The Area Education Officer, Khunti, At+ P.O.+ P.S. + Dist. Khunti.
- 7. The Block Education Extension Officer, Khunti Block, At+ P.O.+ P.S.
 - + District: Khunti. Respondents

CORAM: THE HON'BLE MR. JUSTICE DR. S.N.PATHAK

For the Petitioner :Mr. Vishal Kumar Tiwari, Advocate. For the Respondents :Mr. Prashant Kumar Singh, G.P. VI.

06/ 12.02.2020 The instant writ petition has been preferred assailing the order of rejection dated 20.11.2017 by which the case of the petitioner regarding Inter-District-Transfer has been rejected.

The case of the petitioner lies in a narrow compass. It is specific case of the petitioner that after his appointment, he has been working for last 14 years in the remote naxal affected Area in an Elementary School of Serengdih village coming under Khunti District. The petitioner made several representations before the respondents regarding posting him in the parent district, Ranchi from where he belongs. The respondents on frivolous grounds have rejected the claim of the petitioner without showing any consideration to the grievance raised by the petitioner. Since the grievance of the petitioner has not been redressed till date, the petitioner has been constrained to knock the door of this Court.

Mr. Vishal Kumar Tiwari, learned Counsel for the petitioner strenuously urges that as per the Government circular, petitioner is entitled to be posted in the district of Ranchi which is the parent district of petitioner as he is working in Elementary School situated in zone 6. Learned Counsel further argues that for last 14 years, the petitioner has been posted in the remote area of Khunti District which is a Naxal Affected Area.

Mr. Tiwari submits that a direction be given to the respondents to consider the matter afresh and as per their own circular to post the petitioner in the District of Ranchi in any of the elementary school.

Per contra counter-affidavit has been filed.

Learned Counsel for the State at the very outset draws the attention of the Court towards paragraph No.6 of the counter-affidavit and submits the proposal of Inter district transfer of the petitioner is pending in the Directorate of Primary Education.

In view of the rival submission of the parties across the bar, I hereby direct the respondent No.2 to consider the case of the petitioner for posting him in the district of Ranchi in any of the elementary school in view of their own proposal and also in view of the fact that petitioner has been serving the concerned school for last 14 years which is a Naxal Affected Area in Khunti district.

Let a decision be taken by the respondents within a period of six weeks from the date of receipt/production of a copy of this order.

The writ petition stands disposed of.

[Dr.S.N.Pathak,J.]