

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 8296 of 2015

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Rajesh Kumar aged about 42 years, son of B N Prasad, resident of Flat No 202,
Block – B, Om Nirmalaya Apartment, Nageshwar Colony, PS – Budha Colony,
District - Patna

.... Petitioner/s

Versus

- 1 The Union of India through Secretary, Department of Posts, Ministry of Communication and IT, Government of Bihar, Dak Bhawan, New Delhi
- 2 The Secretary, Department of Posts, Ministry of Communication and IT, Government of Bihar, Dak Bhawan, New Delhi
- 3 Chief Engineer, Head Quarter, Department of Posts, Ministry of Communication and IT, Government of Bihar Dak Bhawan, New Delhi
- 4 The Superintending Engineer (P & A), Department of Posts, Ministry of Communication and IT, Government of Bihar, Dak Bhawan, New Delhi
- 5 The Superintending Engineer (C), Postal Civil Circle, GPO Complex, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : M/s Mrigank Mauli & Samir Kumar, Advocates

For the Respondent/s : Mr Ansuman Singh, CGC

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

Date: 26-05-2015

Heard Shri Mrigank Mauli, learned counsel in support
of the writ petition.

2 Earlier, the petitioner had moved this Court for stay
of his transfer unsuccessfully. However, liberty was granted to make
representation on humanitarian grounds which having been rejected
both by the Department and by the Tribunal, this writ petition has
been filed seeking urgent interference by this Court.

3 Having examined the order of the Tribunal, which
has clearly held that the condition of exception in case of this cadre is

not applicable to the service to which petitioner does. The Tribunal dismissed the application of the petitioner. The Circular in question is clear. It makes no such exception.

4 As the writ petition had earlier been substantially dismissed and the Circular no more being applicable to the petitioner, the writ petition and the urgency are both misconceived.

5 The writ petition is dismissed accordingly.

(Navaniti Prasad Singh, J)

M.E.H./-

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