

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13788 of 2015

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1. Ram Nandan Singh son of Late Bapant Lal Singh, Resident of village & P.O. Gadihara, P.S. Mapandi, District – Patna. at present Rural Works Department, Work Division, Bihar Sharif, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Old Secretariat, Patna
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna
3. The Engineer - in - Chief, Rural Works Department, Patna
4. Chief Engineer, Rural Works Department, Patna
5. District Magistrate, Bihar Sharif, Nalanda
6. Executive Engineer, Rural Works Department, Bihar Sharif, Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad

For the Respondent/s: Mr. P N Sharma, AC to AG

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 26-11-2015

The transfer of the petitioner seems to be a routine transfer and a chain transfer effected in terms of a notification, contained in Annexure-1. He has almost completed 3 years, may be short by a few months.

If that be so, the Court does not find anything irrational or arbitrary with regard to transfer of the petitioner.

So far as the claim of the petitioner that he has a right for consideration for a posting in the fag end of his career before retirement is concerned, for that he will have to make a fresh application before the concerned authority for consideration. But since

it is not a mandatory provision, the Court will not issue any mandamus in favour of the petitioner.

Counsel for the petitioner, however, informs the Court that the petitioner is going to superannuate on 31st January, 2016. If that is so, then it is too short period to think of any transfer and adjustment even on the basis of circular relating to choice posting before superannuation.

Writ application, therefore, stands dismissed for the reasons as above.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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