

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18906 of 2015

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1. Dr. Mukesh Kumar Son of Ganauri Singh, Village- Nakdoi, P.O. and P.S.- Aungari, District- Nalanda, at present posted as Touring Veterinary Officer, Block- Ghoshi, P.S.- Ghoshi, District- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Animal and Fisheries Department
2. The Principal Secretary, Animal and Fisheries Resources Department, Govt. of Bihar, Patna
3. The Additional Secretary, Animal and Fisheries Resources Department, Govt. of Bihar, Patna
4. The Deputy Secretary, Animal and Fisheries Resources Department, Govt. of Bihar, Patna
5. The District Animal Husbandry Officer, Jehanabad
6. The Principle Secretary, Finance Department, Govt. of Bihar, Patna
7. Dr. Kaushal Kusum, Son of Shri Bankeshwari Prasad, Resident of village- Poraha, P.S.- Manpur, District- Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar Jha

For the Respondent/s : Mr. Vikas Kumar, AC to AG

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 17-12-2015

Writ application is dismissed because the transfer of the petitioner is not an administrative decision as such but is a fall out of a judicial order, which is Annexure- 3, passed by a Division Bench on 17.6.2014. If the private respondent has to be restored back to the post because of the said Division Bench decision, petitioner had to make way for the private respondent.

Writ has no merit. It is dismissed.

Rest of the submissions with regard to the ad interim order
can be made before the Division Bench by the petitioner by intervening, if he
wants.

(Ajay Kumar Tripathi, J)

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