

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10918 of 2015

Pradip Kumar, son of Late Subhash Prasad Singh, resident of Mahatma Gandhi Nagar, Kanti Factory Road, P.S. Agamkuan, District Patna at present posted as Clerk, Primary Health Centre, Balrampur at Telta P.S. Balrampur, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Director in Chief, Department of Health, Government of Bihar, Patna.
4. The Civil Surgeon cum Chief Medical Officer, Katihar.
5. The Incharge Medical Officer, Primary Health Centre, Sadar Block, Katihar.
6. Ramesh Kumar Biswas, son of not known, posted as Clerk, Additional Primary Health Centre, Pokhariya, Katihar.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Banwari Sharma
Mr. Sudhir Kumar

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

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 15-10-2015

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner filed the writ application when he came to be transferred from Additional Primary Health Centre, Pokharia, in the district of Katihar, to Primary Health Centre, Balrampur, against a vacant post. The grievance of the petitioner is that this transfer has been facilitated to accommodate respondent No.6.

In the counter affidavit, which has been filed on behalf of the respondents, they have indicated the circumstance that to bring

about peace and orderliness in the working of the centre and for better administration transfer has been effected.

Keeping in mind that the petitioner has been working at the said centre since 2011 and it is not that transfer has been effected at a short notice, his transfer was any way due. In fact, the Court is of the opinion that may be petitioner's conduct itself has hastened his transfer.

Even otherwise, petitioner has already joined on the transferred place. It will be in the interest of administration and for peace and tranquility that the petitioner works on the transferred place.

No interference is warranted with the order impugned. Writ application is dismissed.

(Ajay Kumar Tripathi, J)

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