

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10691 of 2016

Arvind Kumar Son of Late Balmiki Ram, resident of Village Naghar, Police Station
Bikram in the district of Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Agriculture,
Government of Bihar, Patna
2. The Principal Secretary, Department of Agriculture, Government of Bihar,
Patna
3. The Agriculture Production Commissioner, Department of Agriculture,
Government of Bihar, Patna
4. The Director Administration- cum- Additional Secretary, Department of
Agriculture, Government of Bihar, Patna
5. The Under Secretary, Department of Agriculture, Government of Bihar, Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Respondent/s : Mr. AC to GP

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 22-07-2016

The only ground, which has been urged at the bar on behalf of the petitioner, is that he has not completed three years of service at his present position, which is a Project Director, ATMA, Muzaffarpur. Since the petitioner was transferred to Muzaffarpur on 17.2.2014, it is only short by a couple of months to complete tenure of three years. Since the period of three years is not sacrosanct and Annexure- 1 is a general order of transfer effected in the month of June, as such there cannot be a formula by which every employee has to be given a minimum of three years of tenure at every station.

Some leeway and flexibility in such decision making on the administrative side by the respondents will have to be permitted by the Court.

Since there is no other infirmity, which is emerging from the order of transfer, the writ application is dismissed.

(Ajay Kumar Tripathi, J)

sk

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	22.7.2016
Transmission Date	