

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18261 of 2016

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Prabhat Kumar, S/o Late Yogendra Prasad Singh, Resident of Village- Bihta, P.S.-
Salimpur, District- Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Principal Secretary, Transport Department, Government of Bihar, Patna.
4. The Special Secretary, Transport Department, Government of Bihar, Patna.
5. The Under Secretary, Transport Department, Government of Bihar, Patna.
6. The Under Secretary, General Administration Department, Government of Bihar, Patna.
7. Alok Kumar, S/o Not known to the petitioner, presently notified District Transport officer, Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Y. V. Giri, Senior Advocate Mr. Raj Kumar, Advocate Mr. Rajnish Kumar, Advocate
For the Respondents	:	Mr. MD. N.H. Khan, SC-11 Mrs. Babita Kumari, AC

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 16-12-2016

Despite two opportunities given to the respondent authorities to explain what is behind the administrative reasons, they have failed to explain the so-called administrative reason for transfer of the petitioner even within three months. The affidavit of the Principal Secretary, General Administration Department, Government of Bihar is also evasive and vague.

The Court being not satisfied with the reasonings and explanations offered, the transfer seems to be for extraneous reason



as it has been effected within three months of the posting of the petitioner as D.T.O., Muzaffarpur.

In view of the same, the impugned order, contained in Annexure-4, dated 25th September, 2016, so far as it relates to the petitioner, is quashed.

The writ application is allowed.

(Ajay Kumar Tripathi, J)

Pawan/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16.12.2016
Transmission Date	N/A

