

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13032 of 2016

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1. Binod Kumar Son of Late Kapildeo Choudhary Resident of village - Malpura, P.O. Sakar Bazar, District - Rohtas (Sasaram)
 2. Binda Prasad Son of Late Akhaj Prasad resident of Mohalla - Mustafa Bad, Block Road, Near H.P. Gas Agency, P.S. Rampur, District - Gaya
 3. Indu Sinha Wife of Late Krishna Murari resident of village & P.O. Beraurti Nepra, District - Nalanda
 4. Sadhana Jha Wife of Late Vimal Chandra Jha resident of Flat No. 307 'A' Laxmi Apartment, Chitragupta Nagar, Kankarbagh, Town & District Patna
 5. Vijay Kumar Son of Late Rameshwar Singh resident of village - Gwal Bigha, P.O. Neuori, P.S. Karai Parsurai, District - Nalanda
 6. Mahesh Prasad Singh Son of Late Ram Rup Singh resident of village - Chausian, P.O. Gobind Chak (Sonepur), P.S. Sonepur, District - Saran
 7. Raj Kumar Prasad Son of Late Yugeshwar Prasad resident of Mohalla - Rai Hasanpur, Chai Tola, P.O. Bankipur, Town & District Patna
 8. Bhagwan Singh Son of Late Surya Narayan Singh resident of village - Dasaiya Ram, P.O. Fatehpur, P.S. & District Sheohar
 9. Surj Mohan Sinha Son of Late Parmeshwar Dayal Sinha resident of House No. 1E/90, New Patliputra Colony, P.S. Patliputra, Town & District Patna
 10. Narendra Prasad Verma Son of Late Mahendra Prasad resident of Mahendra Bhawan, Mohalla - Chandmari, P.O. & P.S. Motihari, District - East Champaran
 11. Indrasen Bharti Son of Late Rajan Mahto resident of village - Gongari, P.O. Hargama, District - Nalanda
 12. Amiya Kumar Son of Choudhary Arun Kumar Singh resident of village & P.O. Mohammadpur Susta, District - Muzaffarpur
 13. Krishna Kumar Son of Late Ram Balal Choudhary resident of Mohalla - Koat Bazar, Ward No. 16, P.S. & District Sitamarhi
 14. Shankar Kumar Mahto Son of Late Ramchandra Mahto resident of Mohalla - Khajasarai, P.O. Laheriya Sarai, District Darbhanga
 15. Shyam Babu Baitha Son of Late Ganesh Baitha resident of village & P.O. Thumma, P.S. Runnisaidpur, District Sitamarhi
 16. Binod Kumar Son of Late Kamal Ram resident of Atwarpur Pakri P.O. Mankpur Pakrim P.S. Lalganj, District - Vaishali
 17. Poonam Kumari Wife of Jitendra Thakur resident of Hanuman Nagar behind Central School, P.S. Town, District - Muzaffarpur
 18. Randhir Bihari Son of Late Braj Bihari resident of village & P.O. Gopalbad, P.S. Sarmera, Distt. Nalanda
 19. Vishal Kumar Son of Late Sudhir Kumar Sinha resident of New Area, P.S. & Distt. Nalanda

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Labour Resources, Government of Bihar, New Secretariat, Patna
2. The Director, Directorate of Employment & Training (Employment), Government of Bihar, New Secretariat, Patna
3. The Special Secretary, Department of Labour Resources, Government of Bihar, Government of Bihar, New Secretariat, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. P. K. Shahi,
Sr. Advocate
Mr. Rajesh, Advocate
Mr. Krishna Kant Singh
For the Respondent/s : Mr. Sarvesh Kumar, GP24

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 28-09-2016

Heard learned senior counsel for the petitioners and
counsel for the State.

The objection raised against the transfer of these
petitioners is that there is an element of pick and choose and,
therefore, no uniform standards have been maintained.

The stand of the State is that most of these petitioners
or such employees have remained at the same place between 6 to
20 years and the object behind the order of transfer is nothing
beyond the position that they have remained on a place of posting
for a long long time and some of them have also remained in their
home districts by some omission or the other.

Against such a position, a rejoinder has been filed and
instances have been brought, where some of these transferred
employees have been accommodated or deputed on their
requests.

In the above circumstances, the Court is not inclined
to quash the order of transfer. However, it gives liberty to the
petitioners individually to move the authorities, who will consider /

entertain such representations on their own merits and communicate the outcome thereof to the petitioner, but such exercise must be done within a period of four weeks, if any of the petitioners move the concerned authority within one week with a copy of this order.

Writ application stands disposed off with observation / direction as above.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	28.09.2016
Transmission Date	