

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1726 of 2017

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Md. Maqsoodul Haque son of late Md. Shoaib, resident of Mohalla-Dariyapur, Kutubuddin Lane, P.O.-Bankipur, P.S. Pirbahore, District-Patna.
..... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Health Department, Govt. of Bihar, Patna.
2. The Director-in-chief, Health Department, Government of Bihar, Patna.
3. The Regional Deputy Director, Health Services, Government of Bihar, Patna.
4. The District Magistrate, District-Rohtas at Sasaram
5. The Deputy Development Commissioner, District-Rohtas at Sasaram
6. The Civil Surgeon cum Chief Medical Officer, District-Rohtas at Sasaram.

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 06-03-2017 Heard Mr Yogesh Chandra Verma, learned senior

counsel for the petitioner who appears along with Mr. Abdul

Wadood, advocate on record. There is no representation on behalf

of the State.

Although the writ petition was filed questioning the
order bearing Memo no. 2486 dated 01.08.2016 issued by the
Civil Surgeon-cum-Chief Medical Officer, Rohtas at Sasaram
whereby the petitioner, who is holding the post of Medical
Officer at Sadar Hospital, Sasaram, Rohtas, has been sent on
deputation at the Primary Health Centre, Rohtas, in the same
capacity but when the matter is taken up for consideration, Mr.



Verma, learned senior counsel for the petitioner does not press this relief but prays for disposal of the writ petition with appropriate direction to the authority concerned for disposal of the representation of the petitioner, copies of which have been enclosed as Anneure-12 series seeking his posting at Patna in his last year of service as he is to superannuate with effect from 31st January, 2018.

Mr. Verma has placed reliance on a Government resolution dated 25.10.1980 and with a particular reliance at para-(3) thereof, he submits that it is the resolution of the State Government itself that in the last year of service, as far as possible, a Government servant's request for transfer and posting at the place of his choice, should be considered favourably. He thus submits that although in obedience to deputation order dated 01.08.2016, the petitioner has joined his post at Primary Health Centre, Rohtas but has filed representation(s) before the Principal Secretary, Health Department, Government of Bihar, Patna, for his posting at any Health Centre at Patna, copies of which are annexed as Annexure-12 series.

Having heard learned counsel for the petitioner and considering the limited grievance raised by the petitioner in reference to the resolution dated 25.10.1980 of the State



Government, I dispose of the writ petition with a direction to the Principal Secretary, Health Department, Government of Bihar, to consider the request of the petitioner as present in his representation enclosed at Annexure-12 series requesting for posting at Patna and dispose of the same in accordance with law within a period of six weeks from the date of receipt/production of a copy of this order.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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