

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6031 of 2017

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Manoj Dubey, Son of Sri Nagesh Dubey, Resident of Muhalla- V.I.P. Colony, Ward No. -3, Bhabua, P.S. & District- Kaimur (Bhabua), presently posted as Ayush Doctor at Additional Primary Health Centre, Mehus, District- Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Health and Family Welfare Department, Government of Bihar, Patna.
2. The Principal Secretary of Health and Family Welfare Department, Government of Bihar, Patna.
3. The Secretary-cum- Executive Director, State Health Society, Bihar, Patna.
4. The District Magistrate-cum- Chairman District Health Society, Sheikhpura.
5. The Civil Surgeon-cum- Chief Medical Officer- cum- Member Secretary of District Health Society, Sheikhpura, District- Sheikhpura.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajesh Kumar Mishra, Advocate

For the Respondents : Mr. Krishna Chandra, AC to AG

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 14-09-2017

The present writ petition has been filed for a direction to the respondents to consider and transfer the petitioner from the post of Ayush Doctor (Ayurvedic) in Additional Primary Health Centre, Mehast Sheikhpura to any vacant post of Ayush Doctor (Ayurvedic) in the district of Kaimur or any other adjacent district as Rohtas.

2. Learned counsel for the petitioner submits that the respondents have considered and transferred several Ayush Doctors in the other districts on the basis of their representations. However, the petitioner's representation, the last being the representation dated 07.06.2016, filed before the Secretary-cum-Executive Director, State Health Society is yet pending.



3. Learned counsel for the respondents appears and has been heard. Learned counsel submits that in view of the relevant circular, the petitioner is not entitled to be transferred as such.

4. This Court is not inclined to interfere in the matter at this stage.

5. The writ petition is disposed of with a direction to the Secretary-cum-Executive Director, State Health Society, Bihar, Patna (respondent no. 3) to consider and dispose of the petitioner’s representation dated 07.06.2016 (Annexure-5), if still pending, on its own merit and in accordance with law expeditiously and preferably within a period of eight weeks from the date of receipt/production of a copy of this judgment.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	15.09.2017
Transmission Date	N.A

