

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.426 of 2016

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Baijnath Singh, S/o - Late Bake Bihari Sharma, Resident of Village-Bhinpura, P.S. - Masaurhi, District- Patna, at present posted as Corresponding Clerk , Road Construction, Shivhar.

.... Petitioner/s

Versus

1. The State of Bihar through Engineer-in-Chief cum Additional Commissioner cum Special Secretary, Bihar, Patna.
2. The Principal Secretary, Road Construction Department, Bihar, Patna.
3. The Deputy Secretary, Road Construction Department, Bihar, Patna.
4. The Joint Secretary, Road Construction Department, Bihar, Patna.
5. The Executive Engineer, Road Construction, Shivhar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajeet Kumar Singh, Adv.
Mr. Avinash, Adv.

For the Respondent/s : Mr. Anjani Kumar, AAG-6

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 06-04-2017

Learned counsel for the parties are present.

The petitioner prays for his transfer from Sheohar to Patna and the only reason assigned is that his wife is ill. It is stated that he was posted at Sheohar in the year 2014 and thus would be completing three years of his posting.

Mr. Ajeet Kumar Singh, learned counsel appearing for the petitioner in reference to the recommendation present at Annexure 3 series has submitted that despite the recommendation made by the Executive Engineer, Road Division, Sheohar to the Engineer-in-Chief cum Additional Commissioner cum Special Secretary, Road Construction Department, Bihar, Patna the prayer made has not been given consideration. He also refers to a representation filed by the



petitioner present at Annexure-4 series before the Engineer-in-Chief cum Additional Commissioner cum Special Secretary, Road Construction Department, Bihar, Patna in this connection. He has further referred to the transfer order placed on record at Annexure-6 series to submit that similar prayer has been accepted by the Road Construction Department.

Having heard learned counsel for the parties and considering that the petitioner would be completing three years of his posting at Sheohar and his representation remains pending before the Engineer-in-Chief cum Additional Commissioner cum Special Secretary, Road Construction Department, Bihar, Patna which is accompanied with recommendation of the Executive Engineer, I deem it proper to direct the Engineer-in-Chief cum Additional Commissioner cum Special Secretary, Bihar, Patna to consider the prayer of the petitioner and dispose of the same in the light of the issues raised in the writ petition, 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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