

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12461 of 2015

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Dilip Kumar Dutta son of Late Gouri Prasad Dutta, Resident of Mohalla - Nayatola
Bhikhanpur, Post Office - Bhagalpur, H.O., Police Station - Ishakchak, District -
Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar through the Commissioner, Bhagalpur Commissioner,
Bhagalpur.
2. District Magistrate-Cum-Collector, Bhagalpur.
3. Additional Collector, Bhagalpur.
4. Circle Officer, Sultanganj, Bhagalpur.
5. Circle Officer, Pirpainti, Bhagalpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate
For the Respondent/s : AC to AG

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 24-05-2017

By way of the present writ application the petitioner,
a revenue clerk, has challenged the order dated 09.06.2015 passed
by the Collector, Bhagalpur by which he has been transferred from
Sultanganj to Pirpainti.

The only ground taken in the writ application for
challenging the order of transfer is that the health condition of the
petitioner was not taken into consideration by the Collector,
Bhagalpur while issuing the transfer order.



It is contended that in an accident the petitioner has sustained severe injuries on his right lower limb for which he had to undergo surgery on two occasions and Pirpainti being a remote place inconvenience would be caused to the petitioner in getting himself treated.

Learned counsel for the State submitted that as per statement made in para 12 of the writ application, it would be evident that the petitioner has already joined at Pirpainti on 12.06.2015 and in that view of the matter, this writ application has become infructuous.

I find substance in the submission made by the learned counsel for the State. Apart from mercy appeal on ground of health, no legal ground has been taken by the petitioner in order to challenge the order of transfer.

In that view of the matter, I find no merit in this application. It is dismissed, accordingly.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.05.2017
Transmission Date	NA

