

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6457 of 2016

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1. Manki Samad Son of Late Ram Krishna Samad Resident of Village & P.O. - Roladih, Police Station - Toklo, District - West Singhbhum (Jharkhand)
 2. Sanjeet Kumar Nayak Son of Late Mitro Nayak Resident of Village - Simla, P.O.- Kharsawan Garh, Police Station - Kharsawan, District - Saraikela (West Singhbhum) (Jharkhand)
 3. Surendra Kudada Son of Late Hari Kudada Resident of Village - Tiril Basa, P.O. - Barkundiya, Police Station - Mufassil (Chaibasa), District - West Singhbhum (Jharkhand)
 4. Kalyan Marandi Son of Late Hopno Marandi Resident of Village - Chandopani, P.O.- Pilea Chowk, Police Station - Mufassil (Dumka), District - Dumka (Jharkhand)
 5. Sitaram Manjhi Son of Late Nunna Manjhi Resident of Village - Haridih, PO-Tubehha, P.S.- Gamhariya, District - Saraikela Kharsawa (West Singhbhum) (Jharkhand)
 6. Lachhu Urao Son of Chayar Urao Resident of Village & PO- Sakrauli, P.S.- Sisayi, District - Gumla (Jharkhand)
 7. Govind Tien Son of Late Mahendra Tieu Resident of Village - Khunta, PO- Bada Chiru, P.S.- Mufassil (Chaibasa), District - West Singhbhum (Jharkhand)
 8. Ramdhani Singh Son of Late Dwarika Singh Resident of Village - Salai, PO-Babanbath, PS-Mufassil, District - Hazaribagh (Jharkhand)
 9. Shamuyel Lakra Son of Late Edwards Lakra Resident of Village - Chituwa (Jori), PO-Dowari, P.S.- Sinmariya, District - Chatra (Jharkhand)
 10. Jaipal Singh Banra Son of Late Gura Bangra Resident of Village - Unchuri, PO-Ghaghari, PS-Mufassil, District - West Singhbhum, Chaibasa (Jharkhand)
 11. Mangal Bhagat Son of Sri Jita Bhagat Resident of Village - Bhatariya, PO-Phori, PS-Gumla, District - Gumla (Jharkhand)
 12. Narayan Guntuwa Son of Late Vir Singh Guntwa Resident of Village - Jordiha, Tola-Begna Dih & PO-Bada Bambo, PO-Kharsavan, District - Saraikela, West Singhbhum (Jharkhand)
 13. Budhdeo Urao Son of Sri Yetwa Uraon Resident of Village - Kudi Pat, Bariya Toli, PO-Arangi, P.S.-Ghaghra, District - Gumla (Jharkhand)
 14. Paul Nelsan Gudiya Son of Late Yersh Gudiya Resident of Village - Jharbeda, PO-Monoharpur, District - West Singhbhum, Chaibasa (Jharkhand)
 15. Roushan Kumar Son of Binod Kumar Sharma Resident of Village - Kutipisi, P.S.- Padmawati, District - Hazaribagh (Jharkhand)

.... Petitioner/s

Versus

1. The Union of India through Ministry of Home Affaris, Government of India, New Delhi
2. The Secretary, Home (Special) Department, Government of India, New Delhi
3. The Secretary, Ministry of Personnel, Public Grievances and Pension, Government of India, New Delhi
4. The State of Bihar
5. The Principal Secretary, Home (Special) Department, Government of Bihar, Patna
6. The State of Jharkhand
7. The Principal Secretary, Home (Special) Department, Government of Jharkhand, Ranchi
8. Yugesh Kumar Singh Son of Late Budhi Nath Singh Resident of Village - Nitua Jalalpur, P.S.- Kuchai Court, District - Gopalganj
9. Anajani Kumar Son of Late Ashok Kumar Yadav Resident of Village -



- Lalpokhar Jagdishpur, P.S.- Hajipur Sadar, District - Vaishali at Hajipur
10. Dasrath KUMar Son of Late Narayan Prasad Resident of Village - Nayi Siddighat, P.S.- Sultanganj, District - Bhagalpur
11. Raj Kumar Singh Son of Hajarilal Singh Resident of Village - Naya Gram Gamunipur, PS- Maner, District - Patna.
12. Kumar Shambhu Saran Son of Late Dharamvir Prasad Resident of Village - Yarai Gopal Tola, PS- Shahzehanur, District - Patna
13. Manoj Kumar Son of Late Ram Bachhan Singh Resident of Village - Mananpur, PS-Ghoshi, District - Jehanabad
14. Manoj Kumar Pathak Son of Late Parmanand Pathak Resident of Village - Shahzadpur, P.S.- Barahiya, District - Lakhisarai
15. Vijay Kumar Son of Mathura Prasad Mahto Resident of Village - Utarthu, PS-Bind, District - Nalanda
16. Ajit Kumar Singh Son of Daya Shankar Singh Resident of Village - Gyanpur Semariya, PS- Krishnagarh, District - Bhojpur at Ara.
17. Sudhir Kumar Rai Son of Lal Mohan Rai Resident of Village - Jaini, PS-Muffasil Chapra, District - Saran
18. Rahul Kumar Son of Shivji Sah Resident of Village - Repura, PS- Marhowrah, District - Saran at Chapra
19. Som Prakash Son of Gauri Shankar Prasad Resident of Village - Dalsagar, PS-Buxar (Mufassil)
20. Abhimanu Kumar Son of Arjun Singh Resident of Village - Adarsh Laxmipur, PS-Barhaia, District - Lakhisarai
21. Raju Kumar Son of Late Shiv Bahal Singh Resident of Village - Basdila, PS-Jalalpur, District - Saran at Chapra
22. Ranjit Kumar Singh Son of Late Ram Kripal Singh Resident of Village - Kalyanpur (Kinaroo), PS- Maniyari, District - Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh, Adv.

For the Respondent/s : Mr. Dhruba Mukharjee, Adv.

Mr. Rakesh Narain Singh, A.C. to S.C.15

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 27-07-2017

Heard Mr. Bindhyachal Singh, learned counsel for the petitioner and Mr. Dhruba Mukharjee for the State of Jharkhand and Mr. Rakesh Narain Singh A.C. to S.C.15 for the State.

The petitioners seek a direction to the Human Resources Department in the State of Bihar to allow their request for mutual transfer which according to the petitioner was initiated somewhere



before the year 2011. Apart from the fact that there cannot be a mandamus to the respective Governments to allow a request for mutual transfer for it is entirely the discretion of the employer to accept or reject any such request, another aspect of the matter which does not persuade this Court to grant indulgence is the Circular placed on record by the petitioners themselves vide Annexure-11 whereunder the Human Resources Department has brought this exercise to an end with effect from 31.10.2014 as confirmed from paragraph 4 of Memo No.6911 dated 4.8.2014. It is two years thereafter that the petitioner has awoken from their slumber to raise a stale issue which as per Mr. Bindhyachal Singh learned counsel for the petitioner himself arose way back in the year 2007 or thereafter. The denial of indulgence by this court is entirely attributable to the casual approach of the petitioners and in view of the Circular of the State Government enclosed with the rejoinder bringing the exercise to an end with effect from 31.10.2014, no directions can be issued.

The writ petition is dismissed.

Bibhash/-

(Jyoti Saran, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.08.2017
Transmission Date	NA

