

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16123 of 2017

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Krishna Mohan Sharma, son of Late Vinda Prasad Singh, resident of Village and P.O.- Govardhan Kafan, P.S. Hathaudi, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Minor Water Resources, Bihar, Patna.
2. The Chief Engineer, Minor Water Resources Department, Muzaffarpur.
3. The Chief Engineer, Minor Water Resources Department, Bhagalpur.
4. The Chief Engineer, Minor Water Resources Department, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra, Advocate
For the Respondent/s : Mr. Ajit Kumar - GA-9

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-07-2018

Petitioner claiming to be an Ex Vice President of Bihar Regional Lift Irrigation Employees' Union, Muzaffarpur has filed this Public Interest Litigation seeking transfer of employees in the clerical cadre of the Department of Minor Water Resources who have been posted in a particular place for more than 6-9 years to some other division, circle or zone.

It is stated that in violation to the rules, many employees are being permitted to work in the area in question and they are not being transferred.

The issue involved is with regard to posting and



transfer of employees. The Supreme Court in the case of **Bholanath Mukherjee & Others Vs. Ramakrishna Mission Vivekananda Centenary College & Others- (2011) 5 Supreme Court Cases 464** and the Delhi High in the case of **Forum of SC and ST Legislators and Parliamentarians Vs. Oil and Natural Gas Corporation Ltd. & Another (WP (C) No. 1698 of 2017)** decided on **27.02.2017** has laid down that with regard to a service dispute, a Public Interest Litigation is not maintainable and, therefore, we are not inclined to interfere into the matter in such an issue at the instance of the petitioner.

The writ petition stands dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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