

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1034 of 2018

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Manindra Shukla, Son of Late Kashi Nath Shukla @ Kashi Shukla, resident of
Village- Sarupai Tola Khape, P.O.- Jagdishpur, P.S.- Vijayipur, District-Gopalganj.
.... Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar,
Darbhanga through its Registrar.
2. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University,
Kameshwar Nagar, Darbhanga.
3. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar
Nagar, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Respondent/s : Mr. Awadhesh Prasad Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 09-03-2018

Heard learned counsel for the petitioner and the
University.

Learned counsel for the petitioner has confined his
argument that the transfer order is bad in view of the Government
Policy that transfer should not be adhered to in case of employee is to
retire within a year. Other submission as to the jurisdiction has not
been pressed by the petitioner in view of the judgment of the Full
Bench in L.P.A. No. 965 of 2004.

Mr. Ashok Kumar Mishra, learned counsel for the
petitioner submits that the University has intimated the petitioner that
the petitioner's case would be considered sympathetically, if the
petitioner join the transferred post, his case should be considered for



retransfer on the ground he is to superannuate within one year.

In view of the above, learned counsel for the petitioner submits that the writ application may be disposed of with a direction to the University to consider the case of the petitioner for re-transfer to the place from where he has been transferred in view of the fact that the petitioner is to retire within a year.

In the aforesaid circumstances, the writ application is disposed of with a direction to the Registrar, Kameshwar Singh Darbhanga Sanskrit University to take decision sympathetically in the light of letter no. 209 dated 30.01.2018 within a period of 15 days from the date the petitioner submits his joining to the transferred post and submit his application for re-transfer considering his hardship and also on the fact that the petitioner is to retire within one year.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.03.2018
Transmission Date	

