

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10469 of 2017

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Awadhesh Rai, S/o Bishuni Rai, resident of village-Jurawanpur, P.O.-
Maniyarpur, P.S.- Bidupur, Dist.- Vaishali.

At present Personal No. 87002861, Rank Head Constable D.C.V. 154
QN BSF SHQ, Border Security Force, Kishan ganj, Bihar.

... .. Petitioner

Versus

1. Union of India through Principal Security, Ministry of Home Affairs, New Delhi.
2. Director General, Border Security Force, New Delhi.
3. Special Director General, Border Security Force, Kolkata West Bengal.
4. Inspector General, Border Security Force, N/B Kadamtala (Silligurhi), West Bengal.
5. Deputy Inspector General, Border Security Force, Kishanganj, (Khaagra), Bihar.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Niraj Kumar, Advocate
For the Union of India	:	Mr. Awadesh Kumar Pandey, SCG-2
		Mr. Ravinder Kumar Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 19-06-2018

Yesterday, the case was called out, but no one from the side of the petitioner was present. Learned counsel for the Union of India was present. Even today, learned counsel for the petitioner is absent. However, learned counsel for the Union of India is present.

In this matter, the petitioner is challenging the action of the respondents in transferring him to Battalion no.139 situated at Kishanganj.

Earlier, the petitioner remained attached with static force for three years. The petitioner is claiming that he is



suffering from hypertension, so he should remain attached with the static headquarter of the B.S.F.

From the record, it appears that the petitioner has been transferred along with the Unit at Kishanganj and has already joined the new place of posting in Battalion no.139 and after medical verification it was found that he is fit for discharging the normal duty. So, the question of remain attached with the static unit headquarter of the B.S.F. does not arise, inasmuch as, he has already joined the unit after availing 12 days of Earned Leave.

In such view of the matter, this Court does not find any reason to interfere with the impugned order as it appears that the petitioner has lost interest to pursue this matter anymore.

Accordingly, this writ petition is dismissed.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	27.06.2018
Transmission Date	N/A.

