

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14936 of 2018

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Kaushal Kishore, Son of Late Nand Kishore Singh, resident of Village-
Tikaitpur, Police Station- Bihta, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director-in- Chief, Health Services, Bihar, Patna.
2. The Director, Health Services (fa.Ni), Bihar, Patna.
3. The Regional Additional Director, Magadh Division, Gaya.
4. The Additional Director, Health Services (fa.Ni), Bihar, Patna.
5. The Civil Surgeon-cum- Chief Medical Officer, Gaya.
6. The District Magistrate, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh
For the Respondent/s : Mr. Niraj Kumar Sinha, AC to PAAG2

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 14-08-2018

Heard learned counsel for the petitioner and counsel for the

State.

In the present case, the petitioner has been transferred from

Phaleria Control Unit, Gaya to Additional Primary Health Center, Usas

Deora, Coach.

Learned counsel for the petitioner submits that the petitioner
is engaged with the work of Mass Drug Administration (M.D.M.) and
he is still discharging the duty at Gaya. He has further submitted that
the petitioner is suffering from serious disease of cancer and is getting
treatment at AIIMS, New Delhi and it will be very difficult for him to
discharge the duty at Additional Primary Health Center, Usas Deora,
Coach.

The petitioner has already filed his representation dated
6.6.2018 to the Civil Surgeon-cum-Chief Medical Officer, Gaya.



Let the petitioner should file a fresh representation along with a copy of this order before the Civil Surgeon-cum-Chief Medical Officer, Gaya who will give a human consideration that the petitioner is suffering form serious disease of cancer and it is very difficult for a person, who is suffering from cancer, to discharge his duty outside the main place of working. The aforesaid authority will take a decision by passing a reasoned order in accordance with law.

While taking a decision, the authority concerned will take into account that if the petitioner is transferred to the new place of posting, he will not be able to get proper treatment at the remote place outside Gaya town.

Till the decision is taken on the representation filed by the petitioner, the order of transfer dated 2.6.2018, with respect to the petitioner, shall remain stayed and, at the same time, he will not be treated to have been relieved after the completion of work of Mass Drug Administration (M.D.M.).

With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.08.2018
Transmission Date	NA

