

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13323 of 2018

-
-
1. Satyendra Kumar, son of Late Ram Bihari Rajak, resident of Village- Rampur, P.O. Hajrat Sai, P.S. Dhanarua, District- Patna (Bihar).
 2. Upendra Prasad Sinha, son of Sri Srinarayan Sinha, resident of Mitra Mandal Colony, (Aam Bagicha), P.O.- Anisabad, P.S.- Phulwarisharif, District- Patna (Bihar)
 3. Anjani Kumar, son of Late Punit Yadav, resident of Mohalla-Salimpur Ahra, Gali No. 1, P.O.- Kadamkuan, P.S.- Kadamkuan, District- Patna (Bihar)
 4. Krishna Prasad, son of Late Mundrika Rai, resident of Mohalla-Bhikhna Pahadi, Rai Hasanpur Chaitola, P.O.- Bankipur, P.S.- Kadamkuan, District- Patna (Bihar)
 5. Anjali Sinha, wife of Late Prem Kumar, Awadhesh Kutir, resident of New Yarpur, D.B.C. Colony, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna (Bihar)

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Bihar, Patna.
2. The Chief Engineer (Design), Building Construction Department, Bihar, Patna
3. The Superintending Engineer, Design Circle- 1, Building Construction Department, Bihar, Patna

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Prabhu Nath Pathak, Advocate
For the Respondent/s : Mr. Uday Prasad, A.C. to G.P-22

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date : 13-08-2018

Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioner nos. 1, 2 and 3 are Class-III
employees and petitioner nos. 4 and 5 are Class-IV employees.
Grievance has been raised by the petitioner nos. 1, 2 and 3 that
they have been transferred outside the circle, whereas petitioner
nos. 4 and 5 submit that they cannot be transferred from one



place of posting to another place.

Counter affidavit has been filed by the State, wherein statement has been made that their transfer is such a nature that from one building to another building. At the same time, it is nothing but in the same campus two offices are running, not causing any prejudice to the petitioners to go outside the Patna, but they will remain inside in the same campus.

Learned counsel for the petitioners submits that the petitioners are ready to join their respective posts subject to condition that their post and pay should not be downgraded and there should not be any prejudice to their seniority.

While posting the petitioners, the authority must ensure that their salary should not be reduced what they are getting in the present department and their seniority should be maintained without causing any harm to the petitioners.

With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	18.08.2018
Transmission Date	N/A.

