

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12172 of 2018

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Surendra Kumar, son of Late Sitaram Khirhar, Resident of Village- Ward No. 04, near Bhikhari Baba Sthan, Bhagwatipur, Anghatta, P.S. & District- Sitamarhi, Bihar, 843302.

... .. Petitioner

Versus

1. The State of Bihar through the Principal secretary Revenue Dept. Government of Bihar, Patna.
2. The Director Department of Consolidation, Government of Bihar, Patna.
3. The Deputy Director, Department of Consolidation, Bhojpur, Ara.
4. The Deputy Director, Department of Consolidation, Sitamarhi.
5. The Joint Director, Department of Consolidation, Muzaffarpur.
6. The Treasury Office, Sitamarhi.
7. The Consolidation Officer, Piro, Bhojpur (Ara).

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Barun Kumar Choudhary, Advocate
For the Respondent/s : Mr. Mukesh Prasad, A.C. to GP-18

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 29-08-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner was working in the Consolidation Department at Piro (Bhojpur), later on, he was declared as surplus. Again he was taken in service on contract basis and posted at Sitamarhi, accordingly, he joined there on 27.02.2016, but in a short span of time, again the petitioner has been transferred to Rohtas.

Learned counsel for the petitioner submits that the



petitioner was appointed on contract basis and the person under that category cannot be transferred. But the fact remains that he was originally appointed from the office of the Consolidation Department, Bhojpur,9 (Ara) and later on, he was brought to Sitamarhi and now he has been sent on deputation at Rohtas.

He further submits that the retirement of the petitioner is not far of and as such, he will be allowed to remain at Sitamarhi.

The petitioner has already filed a representation before the Joint Director, Consolidation Department (Annexure-10 (series) to this writ petition).

In such view of the matter, let the Joint Commissioner, Consolidation Department, examine the representation filed by the petitioner and take decision in accordance with law.

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

(Shivaji Pandey, J)

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