

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3312 of 2018

Dr. Balmukund Singh son of late Shrikant Singh R/o Mohania, Ward no. 10,
P.S. Mohana District Kaimur at Bhabua at present posted as In-Charge
Medical Officer, Primary Health Centre Chenari, Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Bihar, Patna.
2. The Director in Chief, Health Services, Health Department, Bihar, Patna.
3. The Regional Deputy Director, Health Services, Health Department, Bihar, Patna.
4. The District Magistrate, Rohtas at Sasaram.
5. Civil Surgeon cum Chief Medical Officer, Rohtas at Sasaram, Bhabua, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.
For the Respondent/s : Mr. Arunesh, AC to GP 13

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 21-08-2018

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

The petitioner has raised a grievance about his transfer
from Primary Health Center, Chenary to Primary Health Center,
Rohtas having stated that that action has been taken without
approval of the Government and, for that, a letter dated 1.6.2018
has been written to the Civil Surgeon, Rohtas, whereby and
whereunder, a show-cause has been asked from the Civil Surgeon,
Rohtas as to under what circumstances, he has transferred the
doctors and why a departmental proceeding be not initiated against
him.



From the letter dated 13.3.2018 of the Special Executive Officer with respect to the case of Sohail Ansari, it has been mentioned that the Civil Surgeon, before passing the order of transfer, should have taken permission from the Government but, that has not been followed and, whereafter, the Special Secretary, Government of Bihar vide Memo no. 672(2) dated 1.6.2018 has transferred Dr. Sohail Ansari to his original place.

Learned counsel for the petitioner submits that he was also transferred along with Dr. Sohail Ansari and his case is identical to the case of Dr. Ansari.

Let the case of the petitioner be also considered by the Principal Secretary, Government of Bihar, Health Department and if it is found that the petitioner's case is identical to that of Dr. Sohail Ansari, the same benefit will be also given to the present petitioner.

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

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.08.2018
Transmission Date	NA

