

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7322 of 2019

Dr. Vijay Kumar Prasad Son of Sri Ram Ekbal Prasad Resident of Village-Manjhagarh Langtuhata, P.O. Garh Manjha, Police Station-Manjhagarh, District-Gopalganj (Bihar) Presently Working and Posted as Ayush Ayurvedic Doctor Under Civil Surgein-Cum-Member Secretary, District Health Society, Madhubani (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Principal Secretary, Department of Health, Government of Bihar, Patna
3. The Secretary, Cum Executive Director, State Health Society, Bihar, Patna
4. The District Magistrate-Cum-Chairman, District Health Society, Madhubani (Bihar)
5. The Divisional Deputy Director, Health Service, Bihar, Patna
6. The Civil Surgeon-Cum-Member Secretary, District Health Society, Madhubani (Bihar)
7. The State Health Society through the Executive Director, Parivak Kalyan Bhawan Patna-800004
8. The District Desi Medical Officer-Cum-District Programme Officer, District Health Society, Madhubani (Bihar)
9. The In-charge Medical Officer, Primary Health Centre, Gaura Bauram, Darbhanga (Bihar)

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mukul Prasad, Advocate
		Mr. Karya Nand Sharma, Advocate
For the Respondent/s	:	Mr. Shailendra Kumar, AC to PAAG-2

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 01-05-2019

The petitioner, who is a Ayush/Ayurvedic doctor has been transferred from Darbhanga to Madhubani.

2. Though the present petition has been filed against the order of transfer, but Mr. Mukul Prasad, learned advocate for the petitioner has limited his



argument to the extent of making a request for his being transferred/posted at Gopalganj where his wife is posted as Panchayat Teacher.

3. The petitioner had earlier approached this Court for the same relief while he was posted as Ayush/Ayurvedic doctor at Darbhanga vide C.W.J.C. No. 13082 of 2012. A Bench of this Court, at that time, vide order dated 31.07.2012 directed the concerned respondent to dispose off the representation of the petitioner. The representation of the petitioner at that time was rejected on the ground that all the posts of Ayush/Ayurvedic doctors had been filled up and no post was vacant.

4. The situation, according to the petitioner, may have changed now and since the petitioner now has been again transferred to a different district, he again has in the present instance, approached this Court for a direction that his representation for being transferred and posted in Gopalganj where his wife is also posted, be



considered favourably, provided the post of Ayush/Ayurvedic doctor is vacant/available at Gopalganj at present.

5. The aforesaid prayer of the petitioner appears to be reasonable to this Court.

6. This Court, under the aforesaid circumstances, directs the petitioner to make a representation before the Executive Director, Health Society, Government of Bihar within a period of four weeks from today, who, on receipt of such representation, shall consider the feasibility of accepting the request of the petitioner, provided any post of Ayush/Ayurvedic doctor is available at Gopalganj at present.

7. With the aforesaid observation/direction, the writ petition is disposed off.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07/05/2019

