

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5398 of 2019

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Pankaj Kumar Modi, Son of Late-Krishna Prasad Modi, Resident of Village-Bhabhaul, P.O.-Kalyan Chack, P.S.-Pipara, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The Commissioner, Purnea Division, Purnea.
3. The Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate, Kishanganj.
5. The District Magistrate, Vaishali at Hajipur.
6. The Deputy Collector Establishment, Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Dr.Mankeshwar Tiwari, Advocate
For the Respondents : Mr. Sheo Shankar Prasad (SC-8)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 09-04-2019

Heard the learned counsel for the petitioner and the State.

2. The petitioner even though has been transferred as a Head Clerk from Kishanganj Collectariate to Hajipur, he is not being relieved to join his duty at Hajipur.

3. It appears from the records that after receiving no objection from the two districts viz. Kishanganj where the petitioner is presently posted and the district of Vaishali where the petitioner wants to go, an order of transfer was passed on 21.02.2018 contained in Memo No. 71 issued under the signature of Under Secretary,



General Administration Department, Government of Bihar, Patna indicating that the petitioner is transferred from Kishanganj to Vaishali as Head Clerk. Despite such clear order, the petitioner has not been relieved from Kishanganj for joining his new place of posting.

4. If the aforesaid facts are correct and no stay order has been passed on the transfer, the petitioner is directed to be relieved by the District Magistrate, Kishanganj (respondent no. 4) so that he may join his place of posting at Vaishali in Hajipur.

5. It is expected that the order shall be passed within a period of three weeks from the date of production of a copy of this order.

6. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.04.2019
Transmission Date	

