

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12618 of 2019

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Rakesh Kumar son of Late Muni Lal Prasad resident of Village Below Police Station Sheikhpur Sarai District Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Health Department, Government of Bihar, Patna.
3. The District Magistrate cum Chairman District Health Samiti Buxar.
4. The Civil Surgeon cum Member Secretary District Health Samiti Buxar.
5. The Medical Officer incharge, Community Health Centre, Nawanagar, Buxar.
6. The Medical Officer incharge, Primary Health Centre, Ethari, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan, Advocate
For the Respondent/s : Mr. Nagendra Prasad Yadav (SC 23)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 27-06-2019

Heard the learned counsel for the parties.

2. The petitioner who is a Laboratory Technician has been transferred from Nawanagar to Ethari and thereafter the aforesaid order of transfer was cancelled. For joining at that place, the petitioner was again relieved but the Medical Officer, In-charge, Primary Health Centre, Ethari is not accepting his joining. Per force, the petitioner had to approach this Court.



3. From the documents annexed with the writ petition, it does not appear that there is any impediment in the petitioner joining his new place of service. Nonetheless when such statement has been made on affidavit, this Court deems it appropriate to direct the Medical Officer, In-charge, Primary Health Centre, Ethari to intimate to the petitioner as to why he is not being permitted to join and sign the attendance register. If there is any problem with the order of transfer, even in that case, the petitioner is required to know the reason for his not being permitted to join the place of posting.

4. The petitioner shall make a written representation before the Medical Officer, In-charge, Primary Health Centre, Ethari (respondent no. 6) and make a request for accepting his joining. The Medical Officer, In-charge, Primary Health Centre, Ethari shall, if there is no anomaly in the order of transfer, allow the petitioner to join or in the alternative would tell him the



reason for his not permitting him for joining on the post of Laboratory Technician.

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

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.07.2019
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