

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12793 of 2019

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Sonal Kumari W/o Mukesh Kumar, Resident of Village- Parsa Bazar near
Railway Station Chanakya Colony, P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India through the personal and grievance Department, New Delhi.
2. The Director Intelligence Bureau, New Delhi.
3. The Joint Deputy Director/Estt. State Intelligence Bureau. Patna, Bihar.
4. The DCIO, Jehanabad, State Intelligence Bureau, Patna.
5. The DCIO, Bettiah State Intelligence Bureau.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Hans Raj, Advocate Mr. Dilip Kumar Roy
For the Respondent/s	:	Mr. S.D. Sanjay (AdSG) Mr. Kumar Priya Ranjan, CGC

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-06-2019 Heard the learned counsel for the parties.

Though this writ petition has been filed by the petitioner against her transfer from Jehanabad, a unit of State Intelligence Bureau to Munger on the post of Safety Assistant but after some arguments Mr. Hans Raj, learned Advocate for the petitioner restricted his prayer to a direction to the Joint Deputy Director, Estt. SIB, Patna to consider the request of the petitioner to transfer her to Bettiah on the same post in view of the office memorandum issued by the Ministry of Personnel, Public Grievances and Pensions,



(Department of Personal and Training).

It is the case of the petitioner that her husband is an employee of HPCL Biofuels Limited and is posted at Lauriya in the district of Bettiah.

In view of Clause 4(vi) of the office memorandum / resolution, referred to above, if one spouse belongs to Central Service and other spouse belongs to PSU, the spouse employed under the PSU may apply to the competent authority and the said authority may post the officer to the station or if there is no post under the PSU in that station, to the station nearest to the station where the other spouse is posted.

The aforesaid resolution does not apply to the case of the petitioner as the spouse of the petitioner is not seeking any transfer from Bettiah to any other place where the petitioner has been transferred.

In any view of the matter, since the petitioner seeks her transfer for the purposes of staying with her family and in the circumstance that she has been recently blessed with a child, this Court directs that the



representation preferred by the petitioner before the Joint Deputy Director, Estt. State Intelligence Bureau, Bihar, Patna (Respondent No. 3) on 24.05.2019 be considered favourably. Should a fresh representation be filed before the Joint Deputy Director, Estt. State Intelligence Bureau, Bihar, Patna within a period of three weeks by the petitioner, the same shall be disposed off by the concerned respondent, i.e. Respondent No. 3 within a further period of three weeks thereafter.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

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