

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19488 of 2019

Mira Kumari, wife of Upendra Paswan, resident of House No. Gopal Bhawan,
Ward No. 08, Ramchandrapur, Badana Tila Road, Jasidih, District- Deoghar,
Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health,
Government of Bihar.
2. The Director, Health Department, New Secretariat, Patna.
3. The District Magistrate, Jamui.
4. Civil Surgeon-cum- Chief Medical Officer, Jamui.
5. Medical Officer Incharge, Primary Health Center, Chakai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Shilpi Keshri, Advocate
For the Respondent/s : Mr. Nagendra Kumar, AC to AAG-IX

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 06-11-2019 Heard learned counsel for the parties.

2. The petitioner is working as an ANM. She is aggrieved by an order dated 30.06.2019, issued by the Civil Surgeon-cum-Chief Medical Officer, Jamui whereby she has been transferred from Health Sub-Center, Nawadih Sirfari (Chakai), Jamui to Health Sub-Center, Pandeydih, Jhajha. In the light of the said order, the Incharge Medical Officer, Primary Health Center, Chakai has issued an order dated 09.07.2019 whereby the petitioner has been relieved to join the place of her posting.

3. Ms. Shilpi Keshri, learned counsel appearing on behalf of the petitioner has argued that the petitioner is suffering



from several ailments and constant attention of someone very close to her is required. She also submits that the petitioner's husband is a government servant and is presently posted at Chakai.

4. Petitioner has filed a representation before the Civil Surgeon-cum-Chief Medical Officer, Jamui with a request to reconsider her transfer and posting to Health Sub-Center, Pandeydih, Jhajha.

5. Though a decision to transfer an employee is a purely executive in nature based on administrative exigencies and discretion of the competent authority, considering the submission which has been made, this application is disposed of with a direction that let the petitioner's representation made to the Civil Surgeon-cum-Chief Medical Officer, Jamui dated 09.07.2019 (Annexure-5) be considered and disposed of expeditiously within a period of one month from the date of receipt/ production of a copy of this order.

6. While taking any decision, the Civil Surgeon may keep in mind the stand of the petitioner that husband of the petitioner is a government servant and posted at Chakai.

(Chakradhari Sharan Singh, J)

Rajesh/-

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