

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7125 of 2020

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Anand Bihari Jha Son of Ramnandan Jha Resident of Bankers Colony,
Madarpur, P.O. and P.S.- Darbhanga, District- Darbhanga, presently posted as
Executive Engineer, Rural Works Department, Work Division, Bagaha-2,
District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar,
Patna.
2. The Principal Secretary Rural Works Department, Government of Bihar,
Patna.
3. The Principal Secretary Cabinet Secretariat Department, Government of
Bihar, Patna.
4. The Additional Secretary Rural Works Department, Government of Bihar,
Patna.
5. Sri Narendra Singh Son of not known to the petitioner Presently posted as
Incharge Executive Engineer, Rural Works Department, Works Division,
Bettiah, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar Manglam, Advocate
For the Respondent/s : Mr.Ajay Kumar Rastogi, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 10-07-2020 The petitioner is aggrieved by the notification dated
29.6.2020 whereby the petitioner has been transferred.

Counsel for the petitioner submits that the petitioner is
due to retire on 31st December, 2020. The State Government has
itself formulated a policy not to transfer any employee in the
last year of his service.

Considering the fact that the petitioner is to retire on
31st December, 2020, i.e. within less than six months, the Court



is constrained to quash the order of transfer dated 29.6.2020. It is accordingly, quashed.

The respondents are directed to take fresh decision with regard to transfer and posting of the petitioner keeping in view their own policy decision and the fact that the petitioner is to retire within a period of six months i.e. on 31st December, 2020.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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