

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7477 of 2020**

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Ranjeet Kumar Bharti Son of Munee Lal, Resident of Near Maulabag Chouk,  
New Area Daudnagar, P.O. and P.S. Daudnagar, District-Aurangabad,  
Presently Posted as Assistant Engineer, Rural Works Department, Works Sub-  
Division Samastipur Under Works Division-Samastipur, District-Samastipur.

... .. 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.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Shashi Bhushan Kumar Manglam  
For the Respondent/s : Mr. Mrintunjay Kumar, AC to AAG 6

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      16-09-2020                      Heard Mr. Shashi Bhushan Kumar Manglam, learned  
counsel appearing on behalf of the petitioner and Mr. Mritunjay  
Kumar, AC to AAG 6 for the State through Video Conferencing.

In the present case, the petitioner has raised grievance  
that before completion of three years of his tenure, he has been  
transferred from the post of Assistant Engineer, Rural Work  
Department, Works Sub-Division, Samastipur to Assistant  
Engineer, Planning and Development Department, Government of  
Bihar.

Learned counsel for the petitioner has drawn attention  
of this Court to the letter dated 08.10.2014 (Annexure P-2) issued



by the Principal Secretary, Government of Bihar whereby and whereunder in paragraph 4 it has been mentioned that the government servant should be allowed to remain on the post for three years and in exceptional case, two years have been prescribed, but the petitioner has been transferred without completion of three years of his tenure.

Before embarking the transfer of the government servant, they would look into the guidelines issued by the State Government from time to time. Though the petitioner has filed a representation, as has been informed by the petitioner that he has not been relieved.

Let the petitioner be relieved from the said post and he should join the transferred post and he will be at liberty to file a detailed representation before the competent authority. If such representation is filed by the petitioner within four weeks, the competent authority will examine the matter in the light of Circular issued by the Government from time to time and take decision in accordance with law within eight weeks thereafter.

With the above observation and direction, this petition is disposed of.

**(Shivaji Pandey, J)**

Mahesh/-

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