

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7705 of 2020

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Md. Jauwad Alam @ Md. Jauwad Son of Md. Alam @ Md. Aalim @ Md. Alam, Resident of Village- Chhatauni Bazar, P.S.- Chhatauni, District- East Champaran, Motihari at presently posted as Incharge Circle Officer, Manjhauliya, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Addl. Chief Secretary, Revenue and Land Reform Department, Govt. of Bihar, Patna.
4. The Special Secretary, Revenue and Land Reform Department, Govt. of Bihar, Patna.
5. The District Magistrate, West Champaran at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.
For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-09-2020 The petitioner has been transferred from the post of Anchal Adhikari, Manjhauliya in the district of West Champaran and posted as Incharge Assistant Settlement Officer, Settlement Office, Nawada by virtue of a notification bearing Memo No. 186 dated 27.06.2020.

2. The petitioner has challenged the said order on the ground that it is in breach of the transfer policy of the State Government which prescribes that government servants should be transferred after completion of three years, from a post.

3. It is the petitioner's case that he has just completed



one year when the impugned notification has been issued.

4. In my opinion, the said circular of the State Government is in the nature of guideline and directory. It has no statutory force. It appears that by the impugned order nearly 77 government servants have been transferred and posted to various places. Transfer is an incident of service which can be ordered in administrative exigencies.

5. I do not find it to be a fit case for this Court's interference in the present matter. However, it will be open for the petitioner to file his representation before the competent authority. If he does so, his representation can be disposed of in accordance with law.

6. This application stands disposed of with the aforesaid observation.

(Chakradhari Sharan Singh, J)

Rajesh/-

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