

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9825 of 2019

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Sushil Kumar, S/o Sri Dinesh Sharma, R/o Vill.- Mainpura Chanda, P.S.-
Mehandia, Distt.- Arwal at present R/o Mohalla- Shanti Niketan Colony
Kumhrar, B.H. Colony, Patna, Distt.- Patna ... Petitioner/s
Versus

1. The East Central Railway through General Manager, East Central Railway, Hajipur
 2. The Inspector General -cum- Prinicpal Chief Security Commissioner Railway Protection Force, East Central Railway, Rail Niketan Dighi Kala, Hajipur, Distt.- Vaishali
 3. The Chief Security Commissioner Railway Protection Force, East Central Railway, Hajipur
 4. The Divisional Security Commissioner Railway Protection Force, East Central Railway, Samastipur
 5. The Additional Chief Security Commissioner Railway Protection Force, East Central Railway, Hajipur
 6. The Assistant Security Commissioner Railway Protection Force, Barauni
 7. The Assistant Security Commissioner East Central Railway, Hajipur
- Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Respondent/s : Mr.Ramadhar Shekhar
Mr. Siddhartha Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 24-06-2020 Heard learned counsel for the petitioner and the respondents.

Learned counsel for the petitioner submits that though the petitioner has challenged the order of transfer of the Divisional Security Commissioner Railway Protection Force, East Central Railway, Samastipur, but as a disciplined member of Railway Protection Force, petitioner has obeyed the order of transfer and joined the transferred place. He further submits that the order of transfer, as contained in Annexure-2, is without



jurisdiction.

Mr. Siddharatha Prasad, learned counsel for the respondents submits that there is no infirmity in the order, transferring the petitioner.

Having regard to the fact that petitioner has already joined the transferred place, the writ petition is disposed of with liberty to the petitioner to approach the Chief Security Commissioner Railway Protection Force, East Central Railway, Hajipur, highlighting the illegality in the order of transfer by filing representation and on filing of such representation along with a copy of this order, the Chief Security Commissioner Railway Protection Force, East Central Railway, Hajipur shall pass reasoned and speaking order within a period of 60 days from the date of filing of such representation. The reasoned order passed by the Chief Security Commissioner Railway Protection Force, East Central Railway, Hajipur on representation shall give fresh cause of action to the petitioner to approach the appropriate authority, if so advised.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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