

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9443 of 2019

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Md. Eqbal Ahmad Son of Late Md. Yusuf Resident of Mohalla Indrapuri Colony, Raja Bazar, P.S.- Shastri Nagar, District- Patna, Bihar.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary General Administration Department, Government of Bihar, Patna.
3. The Principal Secretary Department of Health, Government of Bihar, Patna.
4. The Under Secretary Department of Health, Government of Bihar, Patna.
5. The Principal Nalanda Medical College and Hospital, District- Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan
For the Respondent/s : Mr.Nagendra Pd. Yadav (Sc23)

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 29-06-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard the parties.

The prayer is for quashing the notification dated 09.03.2019 in so far as it relates to the petitioner. The petitioner has been transferred from Nalanda Medical College, Patna, to



Vardhman Institute of Medical Sciences, Pawapuri with immediate effect. The petitioner has also disputed the grant of regular promotion to the post of Associate Professor w.e.f from the date he assumes the charge.

It is submitted that the petitioner has claimed posting according to the prevalent practise of merit-cum-choice. In this connection, he has made his application before the Principal Secretary (Respondent No.3). Since the petitioner's application is pending, the writ application is disposed off with direction to the Principal Secretary to consider the petitioner's representation and pass reasoned and speaking order in accordance with law thereupon expeditiously without undue delay and preferably within a period of six (06) weeks from the date of receipt /production of a copy of this order.

(Madhuresh Prasad, J)

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