

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1659 of 2021**

Manoj Kumar Pandey, Male, aged about 45 years, S/o Late Bijnath Pandey  
Resident of Village- Brahma Sthan, P.S.- Bhagwanpur, District- siwan

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna
2. The Engineer in Chief Water Resources Department, Government of Bihar, Patna
3. The Chief Engineer, Irrigation Mechanical, Water Resources Department, Siwan
4. The Superintendent Engineer, Saran Canal Circle, Water Resources Department, Siwan
5. The Executive Engineer, Saran Canal Division, Maharajganj, Siwan
6. The Sub Divisional Officer, Saran Canal Sub-Division, Barharia, Siwan

... .. Respondents

**Appearance :**

For the Petitioner : Mr.Akhilesh Kumar, Advocate  
For the Respondents : Mr.Alok Kumar Rahi, AC to GP 8

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

3      16-04-2021                      Heard learned counsel appearing on behalf of the petitioner as well as Mr. Alok Kumar Rahi, learned Assistant Counsel to Government Pleader No. 18 appearing on behalf of the respondents.

Petitioner is aggrieved by the order of transfer as contained in Annexure-2.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is seniormost upper division clerk in Saran Canal Division, Maharajganj but he has been transferred



and posted as upper division clerk in Saran Canal Sub-Division, Barharia. Learned counsel submits that such action of the respondents is unjustified and arbitrary exercise of power.

Without going into the aforesaid issue raised by the petitioner, the writ application is disposed of with liberty to the petitioner to file a representation along with a copy of this order before the respondent-Chief Engineer, Irrigation Mechanical, Water Resources Department, Siwan who shall look into the grievance of the petitioner and dispose of the representation by a reasoned and speaking order.

It is expected that the Chief Engineer will appropriately decide the claim of the petitioner in commensurate with the post of upper division clerk while disposing of the representation filed by the petitioner within a period of three months from the date of filing of the representation.

With the aforesaid, the writ application stands disposed of.

**(Anil Kumar Upadhyay, J)**

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