

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3994 of 2021

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Krishna Murari Kumar son of Nand Dev Ram resident of ward no.20, Dhobi Tola, PS and District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, Khagaria
3. The Establishment Deputy Collector Khagaria
4. The Mission Director, Bihar Administrative Reforms Mission Society, Irrigation Barrack No.1, Harding Road, Patna.
5. The Additional Mission Director Bihar Administrative Reforms Mission Society, Irrigation Barrack No.1, Harding Road, Patna.
6. The Circle Officer Khagaria
7. The Circle Officer, Gogari

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Hriday Prasad, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 24-11-2021

Heard the learned counsels for the parties.

2. In the instant petition, petitioner has prayed for following reliefs:

“1) That this is an application for issuance of appropriate writ, order or direction to set aside the order of District Magistrate, Khagaria dated 8.12.2020 (Annexure-4) by which transfer of petitioner from Circle Office, Khagaria to Circle Office, Gogri has made and for grant of all consequential benefits. It is further prayed to stay the transfer of petitioner from Circle Office, Khagaria to Circle Office, Gogri by order dated 8.12.2020 (Annexure-4) passed by District



Magistrate, Khagaria till final disposal of writ petition.”

3. Learned counsel for the petitioner submitted that according to Condition No. 2 of the appointment order, petitioner's service is non-transferable.

4. Learned counsel for the respondents submitted that petitioner's service condition has been altered as on the date of issuance of impugned transfer order. The same has been reflected in para 5 of the counter affidavit.

5. In the light of changed circumstances and the fact that petitioner has executed a fresh agreement relating to service condition. Moreover, petitioner is appointed only on contract basis. Therefore, he has no right in terms of the statement made at para 5 to the counter affidavit. That apart, petitioner has reported at transfer post and place on 14.12.2020. In view of these facts and circumstances, the instant petition stands dismissed.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	30.11.2021
Transmission Date	

