

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18618 of 2021

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Aswathy P.S. D/o T.G. Sreeraman, R/o Komprathu House Palli Padd, P.S.-
Haripalli, District- Alapuzha, Kerala. Presently residing at House no. 116B,
Alka Colony, Sandalpur Road, P.S.- Bahadurpur, Dist- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Health Department, Govt. of Bihar, At Patna.
2. The Additional Secretary, Health Department, Govt. of Bihar, At Patna.
3. Director-in- Chief, Nursing, Health Department, Government of Bihar, At Patna.
4. The Superintendent, N.M.C.H, At Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhaneshwar Vashist
For the Respondent/s : Mr.Binod Kr. Yadav (Sc18)

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

Date : 24-11-2021

Heard learned counsel for the petitioner and learned counsel
for the State.

In the instant petition, petitioner has sought for following
relief/reliefs:

“i. For issuance of a writ/s, and order/s, a direction/s in the nature of mandamus for direction the respondents to quash and withhold the letter dated 27/08/2021 bearing no. S.S.-6/N-01-12/2021-886 (6) issued under the signature of the Additional Secretary, Health Department, Government of Bihar to the extent it pertains to the petitioner whereby the petitioner has been transferred from N.M.C.H, Patna to government medical college hospital, Purnea.

ii. For directing the respondents to maintain Status-Quo with respect to the transfer of the petitioner from N.M.C.H. to Government Medical College Hospital, Purnea and keep the letter dated 29/09/2021 bearing no. 3754 issued by the



superintendent, N.M.C.H. in abeyance till this matter is subjudice before this Hon'ble court.

iii. For that the letter dated 27/08/2021 bearing no. S.S.-6/N-01-12/2021-886 (6) of transfer to be set aside with respect to the petitioner as if no transfer has taken place and the petitioner may be allowed to continue in her original place of posting i.e. N.M.C.H., Patna.

iv. And for any other relief/reliefs for which the petitioner is found to be entitled under the provision of law involved in the present case.”

The petitioner had submitted representation for her transfer from Patna to Purnea on 05.03.2021. The same was taken note of and her services were transferred to Purnea on 27.08.2021. She has reported at the transferred post and place. She has certain domestic issues in the family, therefore, she had submitted representation for modification of her transfer from Patna to Purnea and retaining her services at Patna.

The concerned respondent is hereby directed to take note of the petitioner's grievance and redress it in accordance with law. If the petitioner cannot be accommodated in the previous post and hospital at Patna, she may be accommodated against one of the vacant post in some other hospital at Patna. The above exercise shall be completed within a period of two months from the date of receipt of this order.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.11.2021
Transmission Date	NA

