

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3752 of 2022

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Krishna Kumar Dixit S/o Paramhansh Dixit R/o Mohalla-Krishna Bhawan,
V.I.P. Lane, P.S.-Bhagwan Bazar, Dist-Saran at Chapra-841301.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
2. The Chief Engineer Mechanical, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Superintending Engineer, Public Health Drafting and Planning Circle No. -3, Patna.
4. The Superintending Engineer, Public Health Engineering Circle, Chapra.
5. The Executive Engineer, Public Health Division, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Tiwary, Advocate
For the Respondent/s : Mr. Arvind Ujjwal, SC 4

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

6 17-05-2022 Heard learned counsel for the respective parties.

Short question for consideration in the present petition
is whether petitioner could be displaced from *Chapra* and sent
to *Gopalganj* or not?

Learned counsel for the State on instruction submitted
that State Government has taken a policy decision on
06.04.2018 in respect of merger of Senior Accounts Clerk to
that of Head Clerk/Upper Division Clerk. Such a notification
was issued on 06.04.2018 whereas the transfer of the petitioner
is in the year 2021-2022, therefore, the aforesaid contention of
the State counsel cannot be apprised and accepted, so as to draw



inference that the post of Senior Accounts Clerk held by the petitioner is merged with Head Clerk/Upper Division Clerk.

Accordingly, the petitioner is entitled to continue in any one of the post of Senior Accounts Clerk in the *Chapra* Division. The same shall be ordered in retaining the petitioner in the *Chapra* Division till his retirement and in accordance with law.

The petitioner shall be adjusted against one of the Senior Accounts Clerk in the *Chapra* Division within a period of ten days from today.

(P. B. Bajanthri, J)

GAURAV S./-

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