

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10329 of 2021

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Satish Kumar Ram Son of Khushar Ram Resident of Village - Thadhidhata South, P.S. - Kishanpur, District- Supaul, Present posted at the Post of Block Community Mobilizer (Asha), Primary Health Centre, Bhawanipur, District- Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. The Executive Director, State Health Society Bihar, Patna.
3. The District Magistrate cum Chairman District Health Society, Purnea.
4. The Civil Surgeon cum Secretary, District Health Society, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kuldeep Kumar
For the Respondent/s	:	Mr. Ajay Behari Sinha, GA 8
	:	Mr. K.K. Sinha, Advocate

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

Date : 25-02-2022

The matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Learned counsel Mr. K.K. Sinha accepts notice for respondent Nos. 2 and 4.

3. State counsel accepts notice for respondent Nos. 1 and 3.

4. Counsel for the petitioner is hereby directed to serve copy of the writ petition to the counsel for the State/respondents, if it is not already served.



5. In the instant petition, petitioner has prayed for the following relief/reliefs:

“(i) For issuance of appropriate writ/writs for quashing to the order bearing order No. : SHSB/GA/1507/2015 memo no. 4377, dated – 21/09/2018 passed by under the signature of Lokesh Kumar Singh, Executive Director cum Special Secretary, State Health Society, Bihar, Patna.

(ii) For issuance of direction/directions, writ/writs in nature of mandamus upon the respondent authorities (specially the respondent Nos. - 1 &2) for transfer of the Petitioner from Bhawanipur, Purnea to any block under Supaul district in view of the fact that the petitioner’s mother and father is critically ill having several health issues and as such, they are unable to look after themselves and previously similarly situated person have been transferred by the respondent/s;

(iii) For any other relief/reliefs for which the petitioner is entitled in the facts and circumstances of the present case.”

6. Petitioner is not entitled to reliefs sought in the present petition insofar as challenge to the order dated 21.09.2018 for the reasons that matter relates to transfer whereas the present petition is presented in the year 2021. The order dated 21.09.2018 must have spent its force so what remains is whether petitioner is entitled for relief No. 2 or not? In this regard, petitioner is at liberty to submit a detailed representation to the transferring authority within a period of four weeks from today. If such representation is submitted with domestic reasons for transfer, the transferring authority is hereby directed to examine the petitioner’s



grievance and pass a suitable order either in accepting or rejecting
The order must be reasoned one.

7. With the above observations, writ petition stands
disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	04.03.2022
Transmission Date	

