

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2284 of 2021

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Niranjan Kumar, Son of Late Ram Nandan Singh, Resident of Village-
Dihrigarh, P.s.- Harnaut, District- Nalanda, At present posted at Junior
Engineer, in new Capital Road Construction Department, Govt. of Bihar,
Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, (Male), Road
Construction Department, Government of Bihar, Patna.
2. The Engineer-in-Chief (Head Quarter) male, Road Construction Department,
Govt. of Bihar, Patna.
3. The Executive Engineer (male) New Capital Road Construction Department,
Govt. of Bihar at Fire Brigade Campus, Budh Marg, Lodipur, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Pd. Singh
For the Respondent/s : Mr. Manoj Kumar Ambastha, SC-26

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

Date : 27-01-2022

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

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

“1. That, the present writ petition is
in the nature of mandamus and other(s)
writ(s), direction(s) for commanding over the
respondents:-

(i) To direct the respondent no.2 the
Engineer-in-Chief of the Department to
dispose of the letter dated 1.7.2020 which to
submitted by the petitioner with prayer that
his rest services may be made disburse in the
Patna in any Branch because he is not able to



do his job at any other place due to serious illness and weak health of his wife and is still pending for final disposal.

(ii) To direct the respondent no.2 to withdraw the transfer order of the petitioner.

(iii) To direct the respondent to give voluntarily Retirement Ultimately before payment of all the retiral due amount to the petitioner, if respondents are not able to stay the transfer order of the petitioner because, this petitioner has only one married daughter who lives in her matrimonial house and only one son who does private job for his livelihood in other State. This petitioner is himself suffering from piles problem vertebral column problems, and others disease and his wife is permanently resting on bed due to 2 times of her body surgery so this petitioner has to serve his wife. It is not possible for this petitioner to do his job in any other places than Patna.

(iv) To impose heavy litigation cost upon the respondents because they have compelled this petitioner to file the present writ petition.”

3. Short question for consideration in the present petition is whether petitioner is entitled to transfer to a particular post and place or not? In this regard, petitioner submitted representation on 01.07.2020, vide Annexure-4.

4. Therefore, the concerned authority is hereby directed to decide the petitioner's representation dated 01.07.2020 by passing speaking order and communicate the same to the petitioner within a period of one month from the date of receipt of this order.



5. With the above observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

