

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11184 of 2022

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Ritesh Kumar Son of Late Jatadhari Prasad, Resident of Ratanpur Road, East of G.D. College, Basant Vihar, Nirala Nagar, Police Station-Begusarai Sadar, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Science and Technology, Govt. of Bihar, Patna.
3. The Secretary, Department of Science and Technology, Govt. of Bihar, Patna.
4. The Director, Department of Science and Technology, Govt. of Bihar, Patna.
5. The Joint Secretary, Department of Science and Technology, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh, Adv.
For the Respondent/s : Smt. Archana Meenakshee (Gp6)

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 21-10-2022 Heard the parties through virtual mode.

The petitioner by way of this writ petition assails his transfer from Rastrakavi Ramdhari Singh Dinkar Engineering College, Begusarai to Government Engineering College, Lakhisarai. He states that in his place one Rajesh Kumar was posted, who has made a representation and thereafter Rajesh Kumar has been transferred to Patna. It is also stated that the post is lying vacant at Engineering College, Rastrakavi Ramdhari Singh Dinkar Engineering College, Begusarai. However, this Court finds that vide order dated 30.06.2022 while accepting representation of Rajesh Kumar, who was

transferred from Rastakavi Ramdhari Singh Dinkar Engineering College, Begusarai to Patna, another person namely Anil Kumar has been posted in his place by the same order dated 30.06.2022.

This Court also finds that the petitioner has accepted the order dated 26.04.2022 and joined at his new place of posting, whereafter he has preferred this writ petition. Once the petitioner accepts the transfer order and joins at the place, he cannot turned around and challenge the same.

Learned counsel has further submitted that while other persons’ representations against transfer has been accepted, no decision has been taken on the representation made by the petitioner.

This Court leaves it open for the petitioner to make a representation afresh, which has been decided on its own merits by the authorities, however, on the said ground, writ would not lie.

The writ petition is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

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Item no.2

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