

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17034 of 2021

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Sudarshan Das Son of Late Nandlal Das Resident of Mahuabag, Post Office-
Sahay Nagar, Police Station- Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The Bihar Agriculture University through the Registrar having his office at Sabour, Bhagalpur, Police Station- Sabour, District- Bhagalpur.
2. The Vice Chancellor, Bihar Agriculture University Sabour, Police Station- Sabour, District- Bhagalpur.
3. The Director Administration, Bihar Agriculture University, Sabour, Police Station- Sabour, District- Bhagalpur.
4. The Regional Director, Agriculture Research Institute, Lohia Nagar, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamala Kant Tiwary, Adv.
For the Respondent/s : Mr. Shailendra Kumar Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 24-08-2022 The petitioner by way of this writ petition prays for quashing of the order dated 23.08.2013 passed by the Director, Administration, whereby the petitioner was transferred to P.R.C. Mokama and further to quash reasoned order dated 01.04.2019 whereby the representation filed by the petitioner has been disposed of without giving relief to the petitioner.

Learned counsel submits that the petitioner needs to be transferred at Patna so that he can get his mother treated and this court had directed the petitioner to make a representation, however, the representation has been rejected by the Director,



Administration, whereas the Vice Chancellor should have looked into the said aspect. Learned counsel submits that he should be considered for transfer as he has remained in Sabour for a long time and before it he was in Patna.

In the opinion of this Court, transfer is a purely administrative action within the sole domain of the respondents authorities. The petitioner admittedly is holding a transferable job. He has been transferred long back on 23.08.2013 and has joined the place of posting and has been working there for almost 10 years. He has moved this petition for quashing of the order passed on 23.08.2013, whereas the petitioner accepted the order without any demur he cannot turn around after 10 years and challenge the same. As regards the rejection of the representation of the petitioner by the respondents vide order dated 01.04.2019 is concerned, this court finds that the authorities have passed a reasoned order giving out cogent reason for not entertaining the reason for transferring the petitioner from Sabour to Patna. It has been stated that the petitioner is working under AICRP research project, where there is no other staff for Scientist and he is required for the research project since he is well acquainted with the official work for many years. The salary of the petitioner also being



released against the vacant post and the said post is sponsored by ICAR, Govt. of India and Bihar Agricultural University.

In view thereof, it cannot be said that there is any illegality in rejecting the representation of the petitioner since the petitioner is holding the post of class-IV employee, the action of deciding his representation by the Director also cannot be said to be illegal or unjustified.

Accordingly, no case for interference is made out.

The writ petition is devoid of merit and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

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