

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14445 of 2022

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Archana Kumari (Female), aged about 32 years, Wife of Sri Nitish Kumar
resident of Village- Lalgarh, P.O.- Paluhara, P.S.- Gurua, District- Gaya.

... .. Petitioner

Versus

1. The State of Bihar through Additional Chief Secretary, Health Department,
Government of Bihar, Patna.
2. The Director-in-Chief (Nursing), Health Services, Bihar, Patna.
3. The Civil Surgeon-cum-Chief Medical Officer, Madhepura.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Awadhesh Kumar Pandit, Adv.
For the State	:	Mr. Ajay Behari Sinha, GA-8

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-11-2022 Today being Friday, matters are being taken up
through virtual mode, as per current procedure for hearing.

2. The matter has been listed under the heading ‘TO
BE MENTIONED’ on motion slip being filed by the petitioner’s
counsel.

3. Heard learned counsel for the petitioner and learned
senior counsel for the State.

4. Learned counsel for the petitioner submits that
petitioner has made an application for transfer on account of
certain hardships. It is submitted that the representation
seeking intra District transfer has been filed on 15-06-2022 vide
Annexure-3 to the writ petition and that this Court should direct
the Director-in-Chief (Nursing), Health Services, Bihar, Patna



(Respondent No.2) to dispose of the representation.

5. Learned senior counsel representing the State has appeared through virtual mode. It is submitted that no enforceable right has been made out by the petitioner for seeking intra District transfer based on any rule, regulation, guidelines or administrative instruction. It is submitted that transfer is a matter of administrative exigency and is an incidence of service.

6. Petitioner's counsel then submits that he would pursue representation filed by the petitioner before the Respondent No.2.

7. The writ application is, accordingly, disposed of, with liberty to the petitioner, as prayed for.

(Madhuresh Prasad, J)

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