

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2178 of 2023

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Lakshmina Kumari Wife of Santosh Prajapati Resident of Village- Naugarh,
P.S.- Bhagwanpur, District- Kaimur, Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat Building, Patna.
2. The Additional Chief Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
3. The Director Health Services, Government of Bihar, Patna.
4. The Civil Surgeon-Cum-Chief Medical Officer, Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jai Vardhan Narayan, Advocate
For the Respondent/s : Mr.Nagendra Pd. Yadav, SC-23

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and the State.

Petitioner in the present case is seeking a writ in the nature of a writ of mandamus directing the respondents to consider her case for transfer to the district of Kaimur in the light of the Government's policy.

Learned counsel for the petitioner submits that the petitioner has been appointed as A.N.M. and she has completed her tenure of three years at Supaul. She has submitted a representation before the Superintendent, Sub-Divisional Hospital, Triveniganj, Supaul vide Annexure- '4' to the writ application. It is her submission that her husband is a Government employee working as a teacher in Middle School, Bhagwanpur Block, District-Kaimur. The children are always left uncared and there is



no one to look after them. She has sought the benefit of the Government's policy on the spousal ground as well as insecurity in continuing her such long period at a far distant place.

Learned counsel for the State submits that if the petitioner has filed a representation, the same will be considered keeping in view the Government's policy and an appropriate decision shall be taken thereon.

Having regard to the submissions noted hereinabove and the materials available on the record, this Court directs the Director, Health Services, Government of Bihar, Patna (respondent no.3) to consider the representation of the petitioner in the light of the Government's decision and the policy which have been implemented in similarly situated cases and pass a reasoned order within a period of two months from the date of receipt/production of a copy of this order. The petitioner, if so advised, may file a fresh representation within three weeks from today.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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