

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10671 of 2021**

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Hridwar Ram, Son of Late Suhagit Ram, Resident of Vill.- Ramnathpur, P.O.- Goshandepur, Distt. - Ghazipur, State - Uttarpradesh, at Present Residing at Nehru Nagar, Near Divyalok Hospital, Town and P.S.- Buxar Bihar.

... .. Petitioner

Versus

1. The Dakshin Bihar Gramin Bank through its Chairman at Sri Vishnupura Commercial Complex, Ashochak New Bypass, Patna.
2. The Chairman, Dakshin Bihar Gramin Bank at Sri Vishnupura Commercial Complex Ashochak New Bypass Patna.
3. The General Manager, Dakshin Bihar Gramin Bank at Sri Vishnupura Commercial Complex Ashochak New Bypass Patna.
4. The Regional Officer, Dakshin Bihar Gramin Bank at Regional Office Opposite Sales Tax Office, G.T. Road, Sasaram.

... .. Respondents

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**Appearance :**

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|----------------------|---|------------------------------|
| For the Petitioner/s | : | Mr. Ashok Kumar Pathak, Adv. |
| For the D.B.G.B.     | : | Mr. Praveen Prabhakar, Adv.  |
|                      |   | Mr. Sanjay Kumar Jha, Adv.   |

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

6      24-03-2023                      In this case, learned counsel for the petitioner undertakes to remove the defects, if any within two weeks from today.

Subject to the above undertaking, this Court has heard learned counsel for the petitioner and learned counsel for the Bank.

The petitioner in this case is aggrieved by and dissatisfied with the order of transfer as contained in letter no. 96/21-22 dated 07.04.2021 issued by the Regional Officer, Regional Office Sasaram (Respondent No. 4).

Learned counsel for the petitioner submits that the



petitioner is a handicapped person and as per the guidelines governing the transfer of physically handicapped officer the competent authority should not transfer a handicapped person to far off/hardship centres.

Learned counsel for the Bank submits that the petitioner has been transferred on 22.06.2020 from Simiri (Buxar) to Naya Bhojpur in the same district. The transfer took place because the petitioner had stayed at one place/region for more than 10 years and such transfer is in accordance with the guidelines issued by the competent authority. Pursuant to the order of transfer, the petitioner joined the Regional Office at Sasaram on 12.02.2021 and from there he was posted to Nokha Branch of the Bank where he joined his duties.

Learned counsel for the Bank submits that the transfer of the petitioner was made keeping in view the interest and requirements of the Bank in accordance with the policy conditions. One of the conditions is that after posting of two tenures in one region i.e for 6 years, the officer will be transferred to other region.

Learned counsel for the Bank, therefore, submits that because the petitioner has stayed for more than 6 years in the same region of Bhabhua, he was transferred to the Sasaram



region on the post of Officer which is adjacent to the Bhabhua region.

Learned counsel for the Bank has at this stage informed that because of an interim order of this Court passed as back as on 20.12.2021, the petitioner is presently continuing in the same region.

The petitioner is a resident of Gajipur in the State of Uttar Pradesh and his transfer to a place which is only 70 Kilometers away from the present place of posting where the petitioner has stayed for more than 10 years cannot be said to be malafide.

Having heard learned counsel for the petitioner and the Bank, taking note of the aforementioned submissions, this Court is of the considered opinion that in this case the petitioner is not able to make out either a case of violation of the guidelines governing the transfer policy of the Bank nor it is a case of malafide transfer. The petitioner is a resident of the State of Uttar Pradesh. He has already served in one region for more than 10 years, under these circumstances it does not matter whether he served in one region or another region which is also not so far.

The writ application has, thus, no merit. It is



dismissed accordingly.

As a result of dismissal, the interim order dated  
20.12.2021 stands vacated.

**(Rajeev Ranjan Prasad, J)**

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