

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10952 of 2022

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Shubham Kumar S/o Dinesh Kumar Sinha R/o C/O- Hotel Gali, Frazer Road,
Phulwari, Patna, Bihar- 800001.

... .. Petitioner

Versus

1. Punjab and Sind Bank through its Chairman having its office at 5th Floor,
Bank House, 21, Rajendra Place, New Delhi- 110008.
2. The Zonal Manager, Punjab and Sind Bank, Kolkata, West Bengal.
3. The Branch Manager, Punjab and Sind Bank, Rajendra Nagar Branch, Patna,
Bihar.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Puneet Siddhartha, Advocate
		Mr. Aryan Sinha, Advocate
For the Respondent/s	:	Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 21-02-2023

Heard learned counsel for the petitioner.

Petitioner in the present case is seeking the following
reliefs:-

“(A) A writ in the nature of Certiorari or any
other appropriate writ/s, order/s direction/s
quashing the following:

(i) Letter dated 24.01.2022 by way of which,
the respondent has issued transfer letter to the
Petitioner to Kolkata Zonal Office.

(B) A writ in the nature of mandamus or any
other appropriate writ/s, order/s direction/s for the
following reliefs:

(i) To restrain the respondent authorities,
from giving effect to the impugned Transfer Order
dated 24.01.2022 issued by the Respondents till
disposal of instant writ petition.

(ii) To grant the salary to the Petitioner from



the month of February 2022 till date along with interest along with all consequential benefits.

(C) To any other relief/s to which the petitioner is found entitled to.”

On perusal of the order of transfer as contained in the Letter No. 19870 dated 16.10.2020 (Annexure ‘4’) it would appear that on the request of the petitioner, the competent authority of the Bank decided to post him temporarily for three months at Rajendra Nagar Branch, Patna under Kolkata Zone on no TA/DA basis. The letter specifically states that “ You will stand automatically relieved from your present place of posting to report at your new place of posting immediately.

Further, please note that your services can be transferred anywhere in India as per needs & exigencies of the Bank.”

Learned counsel for the petitioner submits that during his posting at Rajendra Nagar Branch, Patna one of the employees of the Bank has misbehaved with him. The petitioner reported the said occurrence to the Branch Manager of the Bank vide Annexure ‘8’ to the writ application. He had also informed it to the Senior Officers at Kolkata through whatsapp but no action thereon was taken. It is his submission that because the petitioner had made complaint against the concerned employee, he has been transferred vide letter dated 24th January, 2022



(Annexure '10') and he has been asked to join at Kolkata within 7 days.

Learned counsel for the petitioner submits that the petitioner is suffering from some health issues which will be evident from the report of the Medical Board constituted by the Civil Surgeon-cum-Chief Medical Officer, Patna (Annexure '26'). This medical report was sent to the competent authority vide letter dated 18.06.2022 (Annexure '27'). The competent authority refused to stay the transfer order and observed that the Medical Board has not advised the petitioner any home/bed rest and that all the ailments are attributable to life style and eating habits. His request to allow him to join at some local branch was also rejected. He was specifically asked as to whether he is fit or sick and in case he was sick, he was advised to get proper treatment and become fit and join duty.

In the nature of the materials present on the record, this Court finds no reason to interfere with the transfer order.

This writ application has no merit.

It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

tusharika/Rajeev

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