

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9778 of 2023

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1. Ashok Kumar Singh Son of Late Ram Naresh Prasad Singh, Resident of Govind Phulkahan, P.S. Kanti, District- Muzaffarpur.
 2. Nagendra Prasad Singh, Son of Kameshwar Singh, Resident of village- Chandan Nagar, Bhavdevpur, P.S. Riga, District- Sitamarhi.
 3. Pawan Kumar Son of Late Mahendra Prasad, Resident of village- Bhavdevpur, P.S. Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Health Department, Patna.
2. The Additional Chief Secretary, Health Department, Patna.
3. The Director-in-Chief, Health Services, Bihar, Patna.
4. The District Magistrate, Sitamarhi.
5. The Civil Surgeon cum- Chief Medical Officer, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Respondent/s	:	Mr. Rajeshwar Singh, GA- 10
		Mr. Jitendra Kumar, AC to GA- 10

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 24-08-2023 Heard learned counsel for the petitioner and learned counsel for the respondent/s.

2. The petitioner has showed obedience to the transfer order, which is impugned in the instant writ proceedings, whereby and whereunder, he has been transferred to a ‘Community Health Centre’, Sonbarsha.

3. Merits apart, it is submitted by the learned counsel for the petitioner that he is suffering with a medical condition, which requires his continuous physiotherapy, which is not



available at the 'Community Health Centre', Sonbarsha.

4. The Court is conscious of the fact that it is not to sit in appeal over the decision of the Authority to transfer/post employees in administrative exigency of service. Such difficulties, however, if raised are required to be considered within permissible limits with a balanced approach. It is in this circumstance that petitioner is permitted to approach the District Magistrate, Sitamarhi (respondent No. 4), Chairman of the District Health Society with his request, annexing copies of his prescriptions, in support of his medical condition.

5. If such application is filed by petitioner within four weeks, the same is required to be considered in accordance with law within four weeks thereafter.

6. Accordingly, writ petition is disposed of.

(Madhuresh Prasad, J)

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