

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10349 of 2023

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Chandra Shekhar Singh S/o Late Baleshwar Singh, Resident of Village-
Madhurapur, P.S.- Teghara, Dist.- Begusarai at present relieved Executive
Officer, Nagar Parishad Hisua, Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary, Labour Resource Department, Govt. of Bihar, Patna.
2. The Chief Secretary, Labour Resource Department, Govt. of Bihar, Patna.
3. The Labour Commissioner, Govt. of Bihar, Patna.
4. The Addl. Secretary, Labour Resource Department, Govt. of Bihar, Patna.
5. The Addl. Principal Secretary, Labour Resource Department, Govt. of Bihar, Patna.
6. Under Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
7. Smt. Seema Kumari W/o not known, presently posted as Executive Officer, Nagar Parishad, Maner, Dist.- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Madan Prasad Singh No.2, Advocate
For the State	:	Mr. Anil Kr. Singh, GP- 26

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 26-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has put to challenge the office order
dated 24-11-2022 (Annexure- 8), whereby her services have
been taken back from the Office of the Executive Officer, Nagar



Parishad, Hisua, Nawada to the Labour Resource Department and he has been posted at Amdobad, Katihar.

3. Learned counsel for the petitioner submits that the order has been issued within one (1) year of his posting at the Nagar Parishad, Hisua, Nawada. The other grievance is that though the ground mentioned in the officer order is scarcity of Officers within the Department of Labour Resource, vide notification dated 30-06-2023, the services of one, Seema Kumari (respondent No. 7) has been sent to the Office of the Executive Officer, Nagar Parishad, Maner, contrary to the express shortage of officers, as contained in paragraph No. 4 of the requisition, dated 28-10-2021 (Annexure- 2).

4. The office order, dated 24-11-2022 (Annexure- 8) records a reason regarding requisitioning of such persons from the various Nagar Parishads, due to shortage of officers in the Labour Resource Department. Such reason, in the opinion of the Court is sufficient to sustain the transfer order, and the same does not require interference.

5. Merely because respondent No. 7 has been given a posting outside the Department, the petitioner cannot claim any enforceable right to continue outside the Labour Resource Department. No case is made out for exercise of discretionary



writ jurisdiction in favour of the petitioner.

6. Accordingly, the writ petition stands dismissed.

(Madhuresh Prasad, J)

Raj kishore/-

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