

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14439 of 2022

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Rana Ranjit Kumar Son of Late Suryadev Narayan Singh, Shiv Mandir, P.O.-
Sevanan, Sevanan, P.s.- Karauna O.P., District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Minor Irrigation Department, Patna
2. The Principal Secretary, Minor Irrigation Department, Patna.
3. The Chief Engineer (Planning), Minor Irrigation Department, Patna.
4. The Executive Engineer, Minor Irrigation Division, Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Adv. Mr. Ram Vinay Pd. Singh, Adv.
For the Respondent/s	:	Mr. Sita Ram Yadav (GP-16) Mr. Rakesh Kr. Shrivastava, AC to GP-16

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and the State.

The petitioner in the present case is seeking the
following reliefs :

“i) For issuance of an appropriate writ/s, order/s, direction/s for setting aside order contained in Memo No. 544 dated 22.06.2022 whereby and under the petitioner who is working as a Clerk, has been transferred from Jehanabad Division to Minor Irrigation Division, Gopalganj which is about 250 K.M. away from the present place of posting.

ii) For issuance of an appropriate writ/s, order/s, direction/s to the respondents



to consider the representation of the petitioner which he filed before the competent authority on 12.07.2022 for cancelling his transfer order dated 22.06.2022 since his mother is ailing and there is no one to look after her, and act upon recommendation made by respondent no. 4 vide letter No. 1160 dated 14.07.2022 whereby and under he wrote a letter to respondent no. 3 for sympathetic consideration upon representation of the petitioner.

iii) For issuance of an appropriate writ/s, order/s, direction/s to the respondents that if in any case there is no possibility for staying the transfer of petitioner from Minor Irrigation Division, Jehanabad to Minor Irrigation Division, Gopalganj then he may be posted near to Jehanabad so that he may look after his ailing mother who is suffering from cardiac problem and is undergoing continuous treatment at I.G.I.M.S., Patna.

iv) To pass such other order or orders as your Lordships may deem fit and proper in the facts and circumstances of the case.”

Mr. Sanjay Kumar, learned counsel for the petitioner submits that the petitioner has already joined at the transferred place on 4.11.2022. The only submission is that the mother of



the petitioner being an old aged lady suffering from cardiac problem, in future the case of the petitioner be considered for transfer at a more suitable place.

Learned counsel for the State submits that as per the transfer policy of the Government, the petitioner cannot be transferred to his home district.

Be that as it may, at this stage, this Court has no reason to go into such issues as the petitioner has already joined at the transferred place and no illegality or infirmity has been shown to this Court with the transfer order.

In future whenever the transfer of the petitioner will be due, the authorities shall consider the same in accordance with the policy decision of the government keeping in view that the mother of the petitioner is said to be old aged lady suffering with some ailment.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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