

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21264 of 2021

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Sameer Kumar Singh, son of Late Lalji Singh, resident of Flat No. 104, Block-B, Regency Pragya Pradeep, Nandanpuri, Khajpura, P.S.-Rajeev Nagar, District-Patna, presently posted as Assistant Engineer, Rural Works Department, Works Sub-Division, Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Secretary, Rural Works Department, Govt. of Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Prashant Sinha, Advocate
For the Respondent/s : Mr.Kameshwar Pd. Gupta (GP-10)
Mr.Virendra Kumar, AC to GP-10

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-03-2023 Learned counsel for the petitioner undertakes to remove the defect(s), if any, within two weeks from today.

Mr. Prashant Sinha, learned counsel for the petitioner has informed this Court that during pendency of the writ application, the petitioner has been proceeded against in a departmental proceeding. According to him, the petitioner has joined at the transferred place but thereafter, he had made a representation for his transfer to a non-works (such as Planning, Design, Research or Headquarters) post in Patna town. It is his submission that since the petitioner was a patient of severe kind of diabetes and suffering with post Covid complications requiring regular treatment at Patna, he had left this place of posting. It is for this reason that he has been proceeded against.



Learned counsel submits that so far as the present writ application is concerned, the only prayer which remains to be considered is with regard to the salary of the petitioner for the period June, 2021 to 15.08.2021.

Learned counsel for the State has opposed this writ application.

Considering the fact that the grievance of the petitioner against the order of transfer has become infructuous, this Court is of the considered opinion that the writ application cannot proceed.

So far as the grievance towards payment of salary is concerned, let the respondents consider the request of the petitioner with a proper representation if filed within a period of four weeks from today. A decision considering the representation of the petitioner shall be taken by the competent authority within a period of two months from the date of receipt of the representation.

This writ application is disposed of.

(Rajeev Ranjan Prasad, J)

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