

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21418 of 2021

Dr. Pramila Sharan, W/o Dr. Prashant Sinha, Resident of 10, Road No. 1A,
Shivpuri, P.S.-Shastri Nagar, Distt.-Patna, Bihar.

... .. Petitioner

Versus

1. The State of Bihar, through Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Animal Husbandry and Fish Resources, Govt. of Bihar, Patna.
3. The Secretary, Department of Animal Husbandry and Fish Resources, Govt. of Bihar, Patna.
4. The Deputy Secretary, Department of Animal Husbandry and Fish Resources, Govt. of Bihar, Patna.
5. The Upper Secretary, Department of Animal Husbandry and Fish Resources, Govt. of Bihar, Patna.
6. The Director, Department of Animal Husbandry and Fish Resources, Govt. of Bihar, Patna.
7. The Regional Director, Department of Animal Husbandry Central Range, Patna, Bihar.
8. The Deputy Regional Director, Department of Animal Husbandry Central Range, Patna, Bihar.

... .. Respondents

Appearance :

For the Petitioner : Mr. Rajkumar Rajesh, Adv.
For the State : Mr. Arun Kumar Bhagat, A.C. to A.A.G.-12

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-03-2023 Learned counsel for the petitioner undertakes to
remove the defects, if any within two weeks.

Subject to the above undertaking, this Court has heard
learned counsel for the petitioner and the State.

The petitioner is aggrieved by and dissatisfied with
the Notification dated 30.06.2021 (Annexure '3') whereby and
whereunder she has been transferred from her present place of



posting at Patna to the District of Jamui.

The only ground pleaded on behalf of the petitioner is that in view of the guidelines provided by the Government as contained in Annexure '1', the petitioner should have been considered for her posting at the place where her husband is posted.

Learned counsel for the petitioner, however, has informed this Court that the petitioner was posed at Patna for more than 3 years. He has not disclosed the complete years as according to him he is not aware of the same.

In the writ application also this fact has not been stated.

Learned counsel for the State submits that a bare perusal of the guideline would show that the said guideline applies in the cases where the husband and wife both are working under the same department. It is further stated that the guideline says 'यथासम्भव' which means it is to be applied wherever applicable. In this case, the petitioner and her husband are working in two different departments and the fact that the petitioner was posed at Patna for more than 3 years would show that she wants a permanent place of posting at Patna, which is not possible.



Having regard to the facts and circumstances of the case and the submissions noted hereinabove and further that the petitioner has already joined at her place of posting and she has continued there for more than one and half years, this Court is of the considered opinion that no interference is required to the impugned order.

This writ application is, thus, dismissed.

(Rajeev Ranjan Prasad, J)

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