

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10801 of 2024

Dayanand Singh S/o Ganesh Prasad Singh, R/o West of Radha Krishna
Mandir, Ward No. 2, Shahpur, PS-Benipatti, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director-in-Chief, Health Services, Bihar, Patna.
2. Director-in-Chief, Health Services, Bihar, Patna.
3. Regional Deputy Director, Health Services, Darbhanga Division, Darbhanga
4. Civil Surgeon, Madhubani.
5. Dr. Naresh Kumar Bhimsaya S/o not known presently working as Civil Surgeon, Madhubani.
6. Addl. Chief Medical Officer, Madhubani.
7. Superintendent, Sadar Hospital, Madhubani.
8. Sudhir Kumar Mishra S/o not known presently clerk in the office of Addl. Chief Medical Officer, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur, Advocate
For the Respondent/s : Mr. Government Pleader (19)

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 22-07-2024 The petitioner was appointed as a Clerk in the Health Department on 16th December 1986. Subsequently, by an order dated 10th February 2024, he was promoted to Assistant Administrative Officer by the Screening Committee. The Screening Committee also considered the promotion matter of one Sudhir Kumar Mishra but, he was not promoted on the ground that he failed to discharge his duty to the satisfaction of his authority. Subsequently, the petitioner was transferred to



Sub-divisional Hospital, Fulparas by the Civil Surgeon, Madhubani vide Memo No. 1476 dated 11.06.2024. In the said order, the petitioner was described as a Clerk (लिपिक) and he was directed to hand over his charge to the said Sudhir Kumar Mishra, whose promotion was not considered by the Screening Committee.

2. The petitioner further submitted representation on 15th June 2024 to the Regional Deputy Director, Health Services, Darbhanga Division, Darbhanga for redressal of his grievance. The Regional Deputy Director issued a letter on 20th June 2024 to the Civil Surgeon-Cum-Chief Medical Officer, Madhubani to submit his comments on the letter dated 15th June 2024, submitted by the petitioner. The Civil Surgeon-Cum-Chief Medical Officer, Madhubani did not submit his report till date. In the meantime, he has been pressurized to join his duties at his place of transfer.

3. Having heard the learned counsel for the petitioner as well as the learned counsel for the State respondents and on careful perusal of the entire materials on record, this Court directs the respondent no. 03 and 04 to dispose of the representation filed by the petitioner on 15th June 2024, positively within one month from the date of communication of



this order.

4. Till disposal of the said representation (Annexure 4), the impugned order of transfer (Annexure 2) shall not be given effect to.

5. With the above order, the instant writ petition is disposed of.

(Bibek Chaudhuri, J)

Suraj Dubey/-

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