

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11029 of 2024

Hem Narayan Prasad son of Late Sukhdeo Raut resident of Village Ward No.2, Sikaria P.O. Ramchandra, P.S. Madhepur, District Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
2. The Engineer in Chief Cum-Special Secretary, Public Health Engineering Department, Bihar, Patna.
3. The Superintending Engineer, Public health Engineering Darbhanga Circle, Darbhanga.
4. The Superintending Engineer, Public Health Engineering Circle, Gaya.
5. The Executive Engineer, Public Health, Division, Darbhanga.
6. The Executive Engineer, Public Health Division, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Harsh Anuj, Advocate
For the Respondent/s : Mr.Standing Counsel (9)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-07-2024 Heard Mr. Harsh Anuj, learned counsel appearing on behalf of the petitioner and learned SC 9 for the State.

2. Learned counsel appearing on behalf of the petitioner submits that the petitioner was transferred from Darbhanga to Gaya Circle on 30.06.2023 and against the transfer order, the petitioner had preferred CWJC No.10680 of 2023, which is still pending. Learned counsel further submits that in compliance of the transfer order, the petitioner had joined at Gaya Circle and he is presently posted at Nawada Division by giving his joining on 24.08.2023. Petitioner has also given information in paragraph no.6 of the writ petition stating therein



that he became ill from 25.08.2023 to 29.10.2023. Learned counsel submits that the petitioner seeks to withdraw the present writ petition with a liberty to file a detailed representation before respondent no.6, the Executive Engineer, Public Health Division, Nawada for the relief as sought for in the present writ petition.

3. Considering the aforesaid specific submission made on behalf of petitioner, I find it proper not to enter into the facts of the present case and to determine, as to whether, the petitioner has committed any misconduct. The record reveals that respondent no.5 has sent L.P.C. of the petitioner to respondent no.6 *vide* letter No.579 dated 22.02.2024.

4. In that view of the matter, respondent no.6, the Executive Engineer, Public Health Division, Nawada is directed to consider the representation of the petitioner and take a final decision in accordance with law well within a period of six weeks from the date of its filing.

5. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

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