

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15368 of 2024

Ruby Kumari @ Dr. Ruby Kumari W/o Shri Siddharth Bharti, Residing at
Near I.D.B.I. Bank, College Road, Kaura Maida, P.O.-Sadar Munger, P.S.-
Kasim Bazar, District-Munger, Bihar-811201.

... .. Petitioner/s

Versus

1. The State of Bihar Rep. Thr. The Principal Secretary, Cabinet Secretary
Department, Govt. of Bihar, Patna.
2. The Principle Secretary, General Administration, Govt. of Bihar, Patna.
3. The Additional Chief Secretary, Department of Health, Govt. of Bihar,
Patna.
4. The Under Secretary, Department of Health, Govt. of Bihar, Patna.
5. The Joint Secretary, Department of Health, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari, Advocate
For the Respondent/s : Mr. A.C. to A.G.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-10-2024 Heard the parties.

2. The petitioner in paragraph no. 1 of the present writ
petition has sought *inter alia* following relief(s), which is
reproduced hereinafter:

"(i) To issue a writ of Mandamus or any other
appropriate writ/order/direction commanding and directing the
respondents to grant the petitioner's request as made in her
letters dated 15.04.2020 (Annexure-4), 12-10-2020, and
03.07.2024 (Annexure-6A), submitted to Respondent No. 4.
Whereby and whereunder The petitioner has requested her
posting to Anugrah Narayan Magadh Medical College, Gaya,
located in Gaya District, where her husband is currently posted
at Sub-Divisional Hospital, Sherghati, Gaya. This request is
made in light of letter No. मं.सं.-01 / आर.28 / 2006-881 dated
03.06.2009 issued by the Principal Secretary, Cabinet Secretariat
Department, Government of Bihar, which explicitly provides for
the allocation of postings based on spousal location, as outlined
in paragraph 4 (ii) kha (Annexure-1).

(ii) To direct the Respondents particularly The
Respondent no. -4 to produce the report pertaining to the present



status and the action taken on the letters (Annexure- Series) of this petitioner.

(iii) Any other relief or reliefs which the petitioner may be found entitled to in the facts and circumstances of the present case."

3. Learned counsel appearing on behalf of the petitioner submitted that he has already filed detailed representation for the relief(s) as prayed for in the present writ petition before the Additional Chief Secretary, Department of Health, Government of Bihar, and the same is pending since 12.10.2020 and subsequent to the same, he has again filed representation on 03.07.2024 but the same has not been considered in spite of the fact that the relief(s) as prayed for in the present writ petition requires consideration in light of Letter No. मं.सं.-01/आर.28/2006-881 dated 03.06.2009 as being followed in respect of many employees similar like the petitioner.

4. Considering the aforesaid submission made on behalf of the petitioner, the Additional Chief Secretary, Department of Health, Government of Bihar, is directed to consider the grievance of the petitioner in light of the several circulars of the State Government, where the relief(s) as prayed for in the present writ petition has been granted by posting the husband and wife on spousal ground in the same district. The



Additional Chief Secretary, Department of Health, Government of Bihar, is directed to dispose of the representation filed on behalf of the petitioner expeditiously, in accordance with law and circulars considering the fact that the representation of the petitioner is pending before him for his consideration since year 2020.

5. With aforesaid observations/directions, the present writ petition is disposed of.

(Purnendu Singh, J)

Niraj/-

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