

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16060 of 2024

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Saju Francis S/o Late O.M. Francis, R/o Kurjee Kothiya, Vikash Nagar, P.S.-
Digha District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Health Department, Govt. of Bihar, Patna.
2. The Special Works Officer-cum-Director in Chief, (Ayush) Health Department, Govt. of Bihar, Patna.
3. The District Magistrate, Patna.
4. The District Deshi Chikitsa Officer, Patna.
5. The Superintendent, Govt. Ayurvedic College Hospital, Patna.
6. The Deputy Superintendent, Govt. Ayurvedic College Hospital, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar Barnwal, Adv.
For the Respondent/s : Mr. P.K. Shahi, AG

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-10-2024

Heard the parties.

2. The petitioner has preferred the instant writ petition
for the following relief(s).

“(i) To issue an appropriate order/s,
direction/s including a writ preferably in the nature
of Mandamus commanding and directing upon the
respondents to allow and grant the posting/transfer
to the petitioner at the place Hospital of his own
choice in the District Joint Hospital, Patna in the
District of Patna taking into consideration that the
petitioner is a IVth grade employee and has lowest
source of income.

(ii) The petitioner seeks indulgence of the Hon’ble



Court to grant him any other relief/s to which he is entitled in the facts and circumstances of the case.”

3. Learned counsel for the petitioner contended that having been appointed on the post of Kachha Upasthapak by Superintendent, Government Ayurvedic College Hospital, Patna vide Memo No. 5 dated 02.01.1988, the petitioner has been continuously rendering his service in the Government Ayurvedic College Hospital, Patna. However, in the year 2022 vide Letter No. 1252 dated 07.11.2022 and a Corrigendum letter vide Memo No. 1282 dated 10.11.2022 issued by the Health Department, the petitioner has been deputed to the office of the District Joint Dispensary, Patna. It is further contended that the respondent no. 4 considering the efficiency of the petitioner has requested to all the concerned to make his posting permanent on the afore-noted deputed place, but till date no action has been taken. It is also contended that now the service of the petitioner has left with only for two years; moreover for the relief(s) prayed for in the writ petition, representations have been filed before the respondent no.2, the copies of which have been brought on record by way of Annexures-P4 and P5 to the writ petition, but till date no order has been passed.

4. Considering the nature of this grievance, this Court



deems it fit and proper to dispose off the writ petition with a direction to the concerned respondents to consider the representation of the petitioner and dispose off the same by a reasoned order within a period of four weeks from the date of receipt/production of a copy of this order.

5. The writ petition stands disposed off with the above direction.

(Harish Kumar, J)

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