

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17263 of 2023**

Dr. Ritu W/o Bipin Kumar Jha Resident of Naya Bazar, Nariyar Road, Ward no.-03, Saharsa, District-Saharsa at Present Posted as Dentist (Mool Koti), Primary Health Center, Banmankhi, District-Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Patna, Bihar.
2. The Director, Health Department, Vikash Bhawan, Patna, Bihar.
3. The District Civil Surgeon-cum-Chief Medical Officer, Purnia, District-Purnia.
4. The In-Charge, Primary Health Centre, Banmankhi, Purnia District-Purnia.
5. Dr. Eenuka Dubey, Dentist, Community Health Center, Sabaur, District-Bhagalpur.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Rajendra Nath Sinha, Advocate

For the Respondent/s : Mr.Sajid Salim Khan ( SC- 25 )

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      26-02-2024                      The present writ petition has been filed  
seeking the following relief:-

*“1. That this is an application for direction or directions, order or orders by way of an appropriate writ or writs preferably in the nature of MANDAMUS commanding and directing the respondents no. 1 and 2 to get transferred petitioner from Banmankhi Primary Health Center as Dentist (Mool Koti) to home district Saharsa as petitioner is a*



*disabled woman "Post-polio residual paralysis of both lower limbs with shortening of the left lower limb", and her percentage of disability is 60%. She has already completed more than 4 years in Banmankhi Primary Health Center, working as Dentist (mool koti).*

*Further, directing and commanding the respondents to abide by the circular guideline contained in para 2 of the Departmental ONL dated 10.05.1990 that physically handicapped employees transferred to near their native place may also be given preference, it covers all physically handicapped employees in Group A, B, C and D. As well as similarly situated employee private respondent no S has been recently transferred from Banka Primary Health Centre to home district Bhagalpur (Sabour) on the basis of 45 percent disability by the State Government [Health Department]."*

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Director, Health Department,



Bihar, Patna for redressal of her aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case the petitioner approaches the Director, Health Department, Bihar, Patna, by filing appropriate representation, within a period of two weeks from today, the same shall be disposed off by a reasoned and a speaking order, in accordance with law, within a period of four weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

S.Sb/-

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