

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.790 of 2023

In
Civil Writ Jurisdiction Case No.14391 of 2022

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Manoj Kumar Son of Late Bindeshwari Prasad, Resident of 208 Bangali Pada, Sabji Bazar, P.O and PS- Rajgir, District- Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Director, Health Service, Bihar, Patna.
4. The Regional Deputy Director, Health Services, Patna Commissioner, Patna.
5. The District Magistrate, Nalanda.
6. The Civil Surgeon -cum- Chief Medical officer, Nalanda.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Anjani Kumar Jha, Advocate
For the Respondent/s : Mr. Anil Kumar Verma, Advocate
Mr. S.D. Yadav, AAG- 9

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 28-01-2025

Re.- I.A. No. 01 of 2023 :-

The learned Advocate for the appellant presses

I.A. No. 01 of 2023 for condoning the delay of ten days in

preferring this appeal.



2. For the reasons stated in the application, the delay of ten days in preferring this appeal is, hereby, condoned.

3. I.A. No. 01 of 2023 stands allowed.

Re.- L.P.A. No. 790 of 2023 :-

4. We have heard Mr. Anjani Kumar Jha, the learned Advocate for the appellant and Mr. Anil Kumar Verma, the learned Advocate for the State.

5. The challenge in this appeal is to the order dated 13.04.2023 passed in C.W.J.C. No. 14391 of 2022, whereby the learned Single Judge did not interfere with the transfer of the appellant from Sub-Divisional Hospital, Rajgir, Nalanda to Public Health Center, Ekangsarai, in the district of Nalanda, on account of such transfer being for administrative exigencies.

6. The contention of the appellant is that the learned Single Judge did not look into the records to the extent that because of some lapses found in the performance of the appellant, the transfer order was



effected.

7. The order by which the appellant stood transferred and the fact that the appellant has joined at the place of transfer reflects that it was for administrative exigencies.

8. The complaint against the appellant does not appear to be relatable to the transfer order, which is an intra-district transfer, which, according to the Rules, is not impermissible.

9. We find no merit in this appeal and is, therefore, dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Sauravkrsinha/
Praveen-II-

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