

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11959 of 2025

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Amit Kumar Mishra S/o Late Shreechandra Mishra, R/o Lovely Anand Path,
P.O., P.S. and Dist.- Saharsa Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Water Resource Department, Govt. of Bihar, Patna.
 2. The Principal Secretary, Water Resource Department, Govt. of Bihar, Patna.
 3. The Engineer-in-Chief-cum-Special Secretary, Water Resource Department, Govt. of Bihar, Patna.
 4. The Chief Engineer, Flood Control and Water Drainage, Water Resource Department, Birpur.
 5. The Executive Engineer, Eastern Koshi Embankment Division, Chandrayan.
- Respondents

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Appearance :

For the Petitioner/s	:	Mr. Siyaram Pandey, Advocate
For the Respondent/s	:	Mr. Ravi Kumar, AC to GP13
	:	Mr. Akshay Lal Prasad, AC to GP13

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 04-09-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. This application has been filed for seeking
following reliefs:

*“I. Writ in the nature of Writ of
Certiorari for setting aside/quashing the office
order as contained in memo no.2116 dated 30-
06-2025, issued by the office of the Chief
Engineer, Flood Control and Water Drainage,
Water Resource Department, Birpur in case of
the petitioner who is transferred from East
Koshi Embankment Division, Chandrayan to the
West Embankment Division, Nirmali on
Administrative Ground. And/Or*

*II. A Writ in the nature of Writ of
mandamus or an appropriate writ/writs,*



order/orders or direction/directions commanding the respondents to consider the order of transfer in case of the petitioner and direct them to send him at his previous place of posting i.e in the office of the Executive Engineer, Eastern Koshi Embankment Division, Chandrayan in place of West Embankment Division, Nirmali which is passed in the teeth of the letter no.1892 dated 14-Resource 10-2022 issued by the Water Department, Govt. of Bihar which has made the post as moribund (maransheel) and so can't be transferred from one division to another.”

3. The petitioner has challenged his transfer order saying that it has been done on administrative grounds.

4. Learned counsel for the State submits that the petitioner has remained on the same place of posting for the last five years and he is not joining his new place of posting.

5. In my opinion, an employee of the State Government has no vested right to stay at a particular place of posting.

6. In these circumstances, this application is dismissed.

(Sandeep Kumar, J)

anand/-

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