

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11921 of 2025**

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Sadique Ahmad, Son of Md. Yunush, Resident of Mohalla Amla Tola, near Gurudwara, Police Station - Katihar Town, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Additional Secretary, Department of General Administration, Government of Bihar, Patna.
3. The Secretary of Revenue and Land Reforms Department.
4. Joint Secretary to the Government, Department of Revenue and Land Reforms, Government of Bihar, Patna.
5. The Collector cum District Magistrate, Katihar.
6. The Circle Officer, Purnea-East, District- Purnea.
7. The Circle Officer, Bhavanipur, District- Purnea.
8. Chandan Kumar, Son of Not known, Revenue Officer, Circle- Dandkhora, District- Katihar.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Md. Helal Ahmad, Advocate    |
| For the Respondent/s | : | Ms. Kumari Amrita, GP-3      |
|                      |   | Mr. Rajesh Kumar, AC to GP-3 |

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      01-08-2025                      Heard the parties.

2. The petitioner is aggrieved with the Notification No.479 dated 30.06.2025 issued under the signature of respondent no.4, Joint Secretary to the Government, Department of Revenue and Land Reforms, Government of Bihar, whereby the petitioner has been transferred from the post of Revenue Officer, Purnea East Circle, Purnea to the post of Revenue Officer, Bhavanipur Circle, Purnea within eight months of his first posting at the present place of posting, which is said to be



in violation of transfer and posting policy.

3. Learned Advocate for the petitioner submitted that earlier the respondent no.4, by Notification No.618 dated 07.10.2024 transferred the petitioner from Amadabad, Katihar to the post of Revenue Officer, Circle Office, Purnea. Accordingly, the Collector, Katihar vide order dated 18.10.2024 issued under Memo No.1497 relieved the petitioner and directed him to ensure joining. Based upon which, the petitioner submitted his joining; however, within eight months of the afore-noted order, the petitioner has again been transferred to the post of Revenue Officer, Circle Office Bhavanipur. It is specifically contended that the entire transfer process took place basing upon pick and choose basis, inasmuch as soon after issuance of the transfer order, the respondent no.4 came out with letter no.485 dated 30.06.2025 and deleted the name of the employees, standing at Serial No. 25, 31, 36, 45, 58 and 61, who were also transferred along with the petitioner by the impugned Notification dated 30.06.2025. It is further contended that the subjected transfer within eight months of his earlier transfer, is contrary to the Government guidelines as also the letter no.881 dated 03.06.2009, which clearly prescribes that transfer and posting of the Government employees should be made only after



completion of three years. It is lastly contended that the mother of the petitioner, a nonagenarian is critically ill and now the transfer of the petitioner within eight months shall also cause, serious hindrances in extending medical facilities and proper look after to her.

4. Ms. Kumari Amrita, learned Advocate for the State submitted that so far Annexure-P/2 as contained in Memo No.1497 dated 18.10.2024 is concerned, that was only an alternative temporary arrangement. Moreover, the petitioner before approaching this Court should bring the entire facts before the concerned authorities; however, the same has not been done.

5. Having considered the submissions set forth by the learned Advocate for the respective parties, undisputedly, a Government servant does not have vested right to a specific posting and is subject to transfer as part of his employment; unless the order of transfer is vitiated by *malafides* or is made in violation of statutory rules of service guidelines for transfer or the authority lacks competence to pass such order.

6. *Prima facie*, this Court finds that after issuance of the impugned order as contained in Annexure-P/1, whereby various employees have been transferred from one place to



another, but with respect to some of them, the transfer orders have been stayed or their names have been deleted from the order of transfer. Since there is no counter affidavit till date on behalf of the concerned respondent(s); therefore, this Court in order to give quietus to the litigation, thinks it apt and proper to dispose off the writ petition extending liberty to the petitioner to approach before the respondent no.4, Joint Secretary to the Government, Department of Revenue and Land Reforms, Government of Bihar, Patna by filing a representation, preferably within a period of two weeks from today.

7. In case, such a representation is filed, the same shall be considered in the light of the discussions made hereinabove and the grounds taken in the present writ petition.

8. Suffice it to observe, if the grounds of the petitioner finds favour, in tune with the guidelines issued by the State Government, appropriate order shall be passed within a further period of three weeks.

9. The writ petition stands disposed off.

**(Harish Kumar, J)**

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