

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13126 of 2025

Rajesh Kumar Son of Moti Lal Das, Resident of Purabsarai Ward No.- 16, Munger Baiapur District- Munger, Bihar, Posted as Legal cum Probation Officer, District Child Protection Unit, Munger transferred to D.C.P.U., Bhagalpur under the Mission Vatsalya Scheme (previously ICPS).

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna- 800015.
2. The Secretary, Department of Social Welfare cum Chairman State Child Protection Society, Govt. of Bihar, Patna- 800015.
3. The Director, Directorate of Social Welfare cum Vice Chairman, State Child Protection Society, Govt. of Bihar, Patna- 800015.
4. The Joint Director, Directorate of Social Welfare cum State Child Protection Society, Govt. of Bihar, Patna- 800015.
5. Deputy Director, Directorate of Social Welfare Cum State Child Protection Society, Govt. of Bihar, Patna- 800015.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shashi Sharma
For the Respondent/s : Mr.Standing Counsel (8)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-09-2025 Heard the parties.

2. This application has been filed on behalf of the petitioner for the following reliefs:-

I. To issue an appropriate writ of certiorari for quashing the impugned transfer order vide Letter No. 636 dated 24.06.2025, issued by respondent no. 3, which is violation of the terms of appointment and settled legal principles.

II. To issue a writ in the nature of mandamus commanding the respondent authorities to allow the petitioners to continue in his present posting at Munger, where he has been serving diligently since his appointment.



III. To issue an appropriate writ/writs, direction/directions directing the respondent authorities to consider the genuine representation of the petitioner dated 27.06.2025 and to allow him to continue at his present place of posting at Munger, keeping in view the legal provisions applicable to contractual appointments under the Mission Vatsalya scheme and the grave personal and humanitarian hardships involved.

IV. To issue an appropriate writ/writs direction/directions order/orders restrain the respondents from taking any coercive or consequential steps in furtherance of the impugned transfer order.

3. It has been submitted by the learned counsel for the petitioner that the petitioner has challenged his transfer order on the ground that in his appointment/engagement letter, there was no condition mentioned that he can be transferred to different districts.

4. Learned counsel for the petitioner further submits that the petitioner have joined his new place of posting.

5. In view of the above circumstances, this application is disposed of with liberty to the petitioner to file his representation before the respondent no. 3 and if such a representation is filed then the same shall be considered and disposed of within 15 days of its filing.

6. It is made clear that while considering the representation of the petitioner, the respondent no. 3 will



consider the contention raised by the petitioner including the contention that there was no provision for transfer in the agreement executed between the petitioner and the State at the time of the contractual appointment of the petitioner.

7. With the aforesaid direction and observation, this application stands disposed of.

(Sandeep Kumar, J)

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