

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16185 of 2025

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Krishnadev Chaudhary, Son of Late Karu Chaudhary, Resident of Rajapur Indaul, Police Station and Post Office- Nemdarganj, District- Nawada. At present Block Agricultural Officer, Block Office Dev, P.S. Dev, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Agricultural, Bihar, Patna.
2. The Director, Department of Agricultural, Bihar, Patna.
3. The Joint Secretary, Department of Agricultural, Bihar, Patna.
4. The District Magistrate, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar Sahay, Advocate Mr. Rakesh Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Standing Counsel (8)

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 03-12-2025 1. The petitioner is a Block Agriculture Officer, posted at Dev Block Office in the district of Aurangabad. By an order of transfer, he was transferred to Purnea. The wife of the petitioner made a representation for reconsideration of the order of transfer of the petitioner on the following grounds:

(i) The petitioner has six daughters. He requires to maintain all of them. The wife and daughters of the petitioner resides in Nawada, which is situated at a distance of about 100 kms. away from Aurangabad and if he is transferred to Purnea, the distance would be 340 kms. from his native place; and

(ii) She has further stated that the petitioner is



suffering from various ailments. Other incumbents were transferred from Aurangabad to nearer places than the petitioner.

2. The learned Advocate appearing on behalf of the petitioner submits that though the order of transfer was published on 30th of June, 2025, the petitioner has not yet joined his new place of posting because he was engaged in Special Intensive Revision (SIR) of the voter list of Bihar. It is also submitted by the learned Advocate on behalf of the petitioner that the petitioner is still posted in the Block Agricultural Office at Dev in the district of Aurangabad. The concerned authority did not issue any release order in his name.

3. Learned Advocate appearing on behalf of the State Respondents submits that the order of transfer was published on 30th of June, 2025 and the transferree Officers / incumbents were directed to join their new places of posting by 7th of July, 2025. When the transfer order speaks about the date of joining, no further release order is required to be issued.

4. Having heard the learned Advocates appearing on behalf of the petitioner and the Respondents, this Court is inclined to record that transferability is an incidence of service. An incumbent cannot raise any objection against the order of transfer. However, he can, of course, file a representation,



stating his genuine difficulty to join his new place of transfer. The petitioner did not personally file any representation. The wife of the petitioner filed the representation. There is also no endorsement with the concerned office or the superior authority of the petitioner received the said representation.

5. Since the petitioner personally did not submit any representation against the order of transfer and transferability is an incidence of service, I am not inclined to grant any relief in the instant writ petition.

6. The writ petition is, therefore, dismissed.

(Bibek Chaudhuri, J)

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