

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5995 of 2026

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Aasha Kumari @ Asha Kumari Wife of Basant Kumar, Resident of Mohalla-
Ward No. 27, 208 Matwari, Hazaribagh, P.S. and District- Hajaribagh
(Jharkhand), Pin- 825301.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Health Department, Bihar, Patna.
2. The Director, Health Services, Health Department, Darbhanga, District- Darbhanga.
3. The Civil Surgeon, (D.M.C.H.) Darbhanga, Health Department, Darbhanga.
4. Deputy Civil Surgeon, Biraul Govt. Hospital, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pravin Chandra Prasad, Advocate
For the Respondent/s : Mrs. Pushpanjali Sharma, AC to SC-20

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 21-04-2026

Heard learned Counsel for the petitioner and
learned Counsel for the State.

2. Learned Counsel for the petitioner submits that this application has been filed for transfer of the petitioner, who was working on the post of G.N.M. and posted at Biraul Government Hospital, Darbhanga. Counsel submits for the transfer from Biraul Government Hospital, Darbhanga to Patna Town Hospital petitioner has filed representation (Annexure-P/1) on the ground that her husband is posted as PGT, Biology, in P.M. Shri School Jawahar Navodaya Vidyalay, Ranchi and



petitioner's sasural is at Hazaribagh (Jharkhand). Counsel submits that petitioner has two kids and it is not convenient for the petitioner to work at Biraul Government Hospital, Darbhanga and, therefore, she filed a representation (Annexure-P/1) on which no decision has been taken.

3. It transpires to this Court that the petitioner had filed a representation on 20.09.2023. Subsequently, a general transfer order dated 26.03.2026 (Annexure-P/7) was issued, which was later stayed by the Government vide order dated 28.03.2026 (Annexure-P/8).

4. This Court finds that transfer is an incidence of service and falls within the policy domain of the employer. In the present case, the husband of the petitioner is posted at Ranchi, Jharkhand, whereas the petitioner is presently posted at Darbhanga and is seeking transfer to Patna. Both Darbhanga and Patna are considerably distant from Ranchi, Jharkhand.

5. In the opinion of this Court, the petitioner's request for transfer from Darbhanga to Patna would not serve the purpose as it would make no material difference in view of her husband's posting at Ranchi. Accordingly, this Court is not inclined to grant the relief as prayed for. However, the petitioner shall be at liberty to file a fresh representation before the



competent/superior authority, and in the event such a representation is filed, the said authority shall consider and decide the same in accordance with law.

6. Accordingly, the present writ petition stands dismissed.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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