

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8398 of 2025

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Anju Kumari Sanjay Kumar Resident of Raghunathpur Madhuban Urf Kaman
Chhapra, Post- Silout, P.S.- Maniyari, District- Muzaffarpur 843119

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Health Department, Old Secretariat, Patna.
2. Principal Secretary, Health Department, Govt. of Bihar, Patna
3. Director-In-Chief, Health Services, Bihar, Patna
4. Additional Director, Health Services, Bihar, Patna
5. Secretary, Bihar Staff Selection Commission, Patna
6. District Magistrate, East Champaran, Motihari,
7. Civil Surgeon-cum-Member Secretary, District Health Committee East Champaran, Motihari
8. Civil Surgeon-cum-Member Secretary, District Health Committee Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Priyank Samdarshi, Advocate
For the State	:	Mr. Standing Counsel 11
		Mr. Piyush Kr Pandey, AC to SC 11
For the BSSC	:	Mr. Md. Aslam Ansari, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2026 Heard learned counsel for the petitioner, learned counsel for the State, and learned counsel for Bihar Staff Selection Commission.

2. Learned counsel for the petitioner submits that the present writ petition has been filed seeking transfer of the petitioner from her allocated district Kishanganj to District East Champaran, in the light of the decision of this Court based on the admission made by respondent No. 3 in its counter affidavit



filed in L.P.A. No. 1552 of 2019, preferred against the order dated 24.10.2019 passed in CWJC No. 18825 of 2019.

3. Counsel further submits that the petitioner was engaged as ANM (R) by the Office of the Civil Surgeon-cum-Member Secretary, District Health Committee, East Champaran, Motihari, vide Memo No. 54 (DHS) dated 26.05.2011, at Primary Health Centre, Chiraiya, East Champaran, for a period of three years, and pursuant thereto, the petitioner joined the said Primary Health Centre on 06.06.2011.

4. Counsel further submits that subsequently, the Bihar Staff Selection Commission issued an advertisement for appointment to the post of ANM, in which the petitioner participated and was finally selected vide Memo No. 1064(6) dated 20.08.2019, wherein she was allocated District Kishanganj, which is a far-off place from her previous place of posting at East Champaran, Motihari. Pursuant thereto, the petitioner joined under the Civil Surgeon-cum-Chief Medical Officer, Kishanganj on 24.09.2019 on the post of ANM.

5. Counsel further submits that similarly situated persons had earlier approached this Court in CWJC No. 18825 of 2019 and thereafter in L.P.A. No. 1552 of 2019, and in that light, the petitioner therein was posted at her convenient place



of posting. It is submitted that the case of the petitioner is identical to that of the petitioner in the said writ petition and LPA.

6. Counsel further submits that in this regard, the petitioner has filed representations and has also reiterated the same in 2019, 2024, and 2025, however, no decision has been taken by the concerned authority.

7. Learned counsel for the Bihar Staff Selection Commission submits that once appointment has been made, the respondent BSSC becomes functus officio so far as the transfer and posting of the petitioner is concerned.

8. Learned counsel for the State submits that the counter affidavit has not been received, however, no decision has been taken till date on the petitioner's representations.

9. Upon perusal of the record, it transpires that, so far as the matter relating to transfer is concerned, the basis of transfer in the case of other person was the counter affidavit filed before the Hon'ble Division Bench. However, it appears to this Court that the case of the petitioner is not similar to the case of the other person.

10. This Court, without entering into the merits or



demerits of the case, directs the petitioner to file a fresh representation along with a copy of this order within 30 days before the Director-in-Chief, Health Services, Bihar, Patna, respondent No. 3. Upon receipt of the same, respondent No. 3 shall take a decision within 90 days from the date of production of the fresh representation filed by the petitioner along with the present order, in light of the decision taken by the Four-Member Committee for allotment of districts vide its decision dated 28.06.2019.

11. It is made clear that if any decision relating to allotment of districts has been taken by any subsequent committee or in accordance with any further policy, then the Director-in-Chief, Health Services, Bihar, Patna shall take a decision in light of the latest policy with regard to allotment of districts.

(Dr. Anshuman, J.)

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