

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12374 of 2025**

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Ajay Kumar Son of Late Vijay Kumar Lal Das Resident of Near Bhaiyajee Pokhar, Bachhi, District- Madhubani, Bihar, Posted at Madhubani as Counsellor District Child Protection Unit, Madhubani under the Mission Vatsalya Scheme (Previously ICPS).

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary Government of Bihar, Patna- 800015.
2. The Additional Chief Secretary, Department of Social Welfare, Government of Bihar, Patna- 800015.
3. The Director, Social Welfare Cum Vice-Chairperson, State Child Protection Committee, Bihar, Patna- 800015.
4. The Joint Director, Department of Social Welfare, Government of Bihar, Patna- 800015.
5. The Assistant Director, District Child Protection Unit, Madhubani.
6. The Assistant Director, District Child Protection Unit, Supaul.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Shashi Sharma, Adv.  
For the Respondent/s : Mr.Anuj Kumar, AC to GP24

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

4      14-05-2026                      Heard Learned Counsel for the petitioner and  
  
Learned Counsel for the State.

2. The present writ petition has been filed with the  
following reliefs:-

*“That the present writ application is  
being filed by the petitioner for issuance of a writ  
of certiorari and/or mandamus for quashing the  
illegal, arbitrary, and unreasonable transfer order  
bearing letter no. 02/रा.बा.सं. (स्था)- 02/2018-(part-  
2)-487 dated 22.05.2025, whereby the petitioner*



*has been transferred from District Child Protection Unit, Madhubani to Observation Home, Supaul, in gross disregard of the critical mental health condition of his wife and without any administrative necessity or justification.”*

3. Learned counsel for the petitioner submits that the petitioner was initially selected in the year 2018 as Counsellor under ICPS for District Araria. He further submits that the petitioner's wife has been suffering from chronic mental illness and considering this aspect, he was transferred to Observation Home, Darbhanga vide letter No.320 dated 26.06.2020 and then subsequently, transferred to home district Madhubani vide letter No.490 dated 18.08.2022 on compassionate ground. He further submits that the Director, Social Welfare-cum Vice-Chairperson, SCPS, Bihar issued a letter No.487 dated 22.05.2025 directing the petitioner's posting to Supaul without any reference or consideration of the petitioner's family circumstances. Therefore, the petitioner has filed a representation before the concerned authority for not to transfer his posting at Supaul.

4. Counsel further submits that after filing a representation for the same, different letters have been issued to the petitioner and when lastly, petitioner wants to join Supaul then, his joining has not been accepted. Thereafter, the petitioner has filed the present writ petition.



5. In the light of the submissions made, this Court independent from the pleadings made by the parties, hereby directs the petitioner to join his post at Supaul, where he has been transferred and the Assistant Director, District Child Protection Unit, Supaul (respondent No.6) is hereby directed to accept the joining of the petitioner at Supaul forthwith, when he reaches at Supaul along with this order.

6. It is made clear that the petitioner shall file a fresh representation annexing all documents about mental illness of his wife, which he has narrated in the writ petition, before the Director, Social Welfare-cum-Vice-Chairperson, State Child Protection Committee, Bihar, Patna (respondent No.3), who shall consider the representation of the petitioner sympathetically and take decision within 90 days thereafter.

7. With the aforesaid directions and observations, the present writ application stands disposed off.

**(Dr. Anshuman, J)**

Prakashmani/-

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