

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 15932 of 2025

1. The Union of India through the Secretary, Government of India, Ministry of Defence, New Delhi 110001.
2. The Controller General of Defence Accounts, Ulan Batar Marg, Palam, Delhi Cantt. 110010.
3. The Controller of Defence Accounts (Patna), Rajendra Path, Patna, 800019.
4. The Sr. Accounts Officer (AN), Office of the Controller of Defence Accounts (Patna) 800019.
5. The Area Accounts Office, Head the Additional Controller of Defence Accounts (Addi CDA), Area Accounts Office, Siliguri, 734001.
6. The Principal Controller of Defence Accounts (Air Force) 107, Rajpur Road, Dehradun- 248001.
7. The Sr. Accounts Officer (Administration), Office of the Principal Controller of Defence Accounts (Air Force), Dehradun- 248001.

... .. Petitioner/s

Versus

Niraj Kumar, Male, S/o Sri Kumar Lal Bahadur Singh, Resident of Vill. and P.O.- Kajhi Hirdenagar, P.S.- Banmankhi, District- Purnea, (Bihar), 854202, At present under orders of Transfer from the Assistant Accounts Office (AAO), Siliguri (Under CDA Patna) to the post of Local Audit Office (Air Force) at Bagdogra (Under Principal Controller of Defence Accounts (Air Force), Dehradun.

... .. Respondent/s

Appearance:

For the Petitioner/s	:	Mr. Kumar Priyaranjan, Sr. CGC Mr. Ram Tujabh Singh, CGC
For the Respondent/s	:	Mr. Jayant Kumar Karn, Advocate Mr. Jay Karn, Advocate Mr. Sujeet Kr. Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

and

HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

Date: 15-06-2026

The present writ petition has been filed by the petitioners against the judgement dated 29.05.2025 passed by the learned



Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as the 'Ld. CAT') in O.A. No.050/00999/2024 whereby and whereunder the original application filed by the sole respondent has been allowed and the order of transfer dated 25.11.2024, issued under the pen and signature of Senior Accounts Officer (AN), Office of the Controller General of Defence Account, Delhi Cantt, transferring the sole respondent, holding the post of Assistant Accounts Officer at Siliguri to Bagdogra on the post of Local Audit Officer (Air Force), has been virtually quashed.

2. Shorn of the details, it would suffice to state at the outset that this Court by an order dated 02.12.2025 had issued notice to the respondent herein while taking note of the fact that the respondent has been transferred merely from Siliguri to Bagdogra by an order dated 25.11.2024 and the distance between the said two places is only ten kilometers.

3. Thereafter, the sole respondent has appeared in the present case through his duly appointed Advocate and has filed a counter affidavit, wherein it has been contended that the work allocated to the sole respondent at Bagdogra comprises of carrying out audit work at different stations, far away from Bagdogra and



the same will definitely impede care of his minor son who is aged about 12 years.

4. In order to give a quietus to the *lis* which has arisen in the present case, we had asked the petitioners *vide* order dated 31.03.2026 to inform this Court as to whether the respondent can be stationed at the Office of LAO (AF), Bagdogra and discharge his duties from there itself. In response thereof, the petitioners have filed a second supplementary affidavit wherein a chart has been appended showing the distance of the locations where audit is required to be conducted by the sole respondent *vis-a-vis* his place of posting *i.e.* Bagdogra. The chart contained in letter dated 22.04.2026 written by the Senior Accounts Officer, Office of the Principal Controller of Defence Accounts (AF), Dehradun is reproduced herein below:-

Sl.No.	Name of unit/formation	Location	Approx. distance in kms
1.	14 FBSU	Purnea	195
2.	273 SU AF	Bhuttabari	10
3.	3 TAC	Sukna	22
4.	16 WING	Hasimara	159
5.	20 WING	Bagdogra	Co-located
6.	10 AFH	Hasimara	159
7.	507 SU AF	Singharsi	407
8.	799 SU AF	Kurseong	67

5. The learned counsel for the petitioners has submitted, by referring to the aforesaid chart that the locations mentioned at Sl. No.2 *i.e.* Buttabari, Sl. No.3 *i.e.* Sukna, Sl. No.5 *i.e.* Bagdogra and



Sl. No.8 *i.e.* Kurseong are at a distance of only 10 Kms, 22 Kms, Co-located and 67 kms respectively. It is also submitted that the sole respondent would be required to do the job of audit work only at the aforesaid four locations so that he would not have to travel at a great distance from Bagdogra, hence the transfer policy in question would not be inequitably infringed.

6. The learned counsel for the sole respondent Sri. Jayant Kumar Karn, Advocate submits that if the sole respondent is required to conduct the audit job at the afore-stated four locations, the sole respondent has got no objection.

7. In view of the aforesaid and with the express consent of the Ld. Counsel for the parties, we deem it fit and proper to modify the judgement dated 29.05.2025, passed by the Ld. CAT in O.A. No.050/00999/2024 and direct that the sole respondent shall join at the new place of posting at Bagdogra on the post of Local Audit Officer (Air Force), in compliance of the order of transfer dated 25.11.2024, within a period of two weeks from today, if not already joined, however the sole respondent will be required to perform his duties only at Bagdogra, Bhuttabari, Sukna and Kurseong, especially that pertaining to the job of audit work, assigned to him.



8. Accordingly, the present writ petition stands disposed of
with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

(Raj Kumar, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	18.06.2026
Transmission Date	

