IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15726 of 2026

CNR No. BRHC011056922026

==========

Gita Kumari, wife of Sri Shashi Bhushan, Resident of village- Madhaul, P.O. Susta Madhopur, P.S. Kudhani, District - Muzaffarpur, presently working as Auxiliary Nurse Midwifery(R) Community Health Centre, Kalyanpur, District - East Champaran at Motihari.

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Director -in- Chief (Nursing), Directorate of Health Services, Health Department Government of Bihar, Patna.
4. The Executive Director, The State Health Society, Bihar, Pariwar Kalyan Bhawan, Sheikhpura, Patna.
5. The Civil Surgeon-cum- Member Secretary, District Health Society, East Champaran at Motihari, District - East Champaran at Motihari.
6. The District Programme Manager, District Health Society, East Champaran at Motihari, District - East Champaran at Motihari.
7. The Incharge Medical Officer, Community Health Centre, Kalyanpur, District East Champaran at Motihari.

... ... Respondent/s

==========

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the Respondent/s	:	Mr. Rakesh Kumar, GA-04
	:	Mr. Ranjan, AC to GA-04
For the S.H.S.B.	:	Mr. K.K. Sinha, Advocate

==========

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 27-10-2026

Heard learned Counsel for the petitioner, learned

Counsel for the State Health Society, Bihar and learned Counsel

WEB COPY

for the State are present.

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

> " *(i) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the Respondent Authorities and more particularly to the Respondent no. 3 and 4 to transfer and post the petitioner as Auxiliary Nurse Midwifery in the Community Health Centre situated either in Block Kudhani or in Block Mushahari in the District of Muzaffarpur from Community Health Centre, Kalyanpur, District-East Champaran at Motihari pursuant to his application dated 16.03.2026 duly forwarded by the Respondent Nos. 5, 6 and 7 on the ground that the present place of posting is situated at a distance of more than 80 Kilometers from the house of the petitioner as also during the course of journey in discharge of duties the petitioner met with an accident at two occasions resulting damage of bones of lungs and rib and the petitioner has also responsibility to take care of her two daughters and her old age ailing mother.*
>
> *(ii) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petition would be found entitled under the facts and circumstances of the case.*"

3. Learned counsel for the respondent-State

WEB COPY

Health Society, Bihar has raised a preliminary objection, submitting that the petitioner has approached this Court by filing the present writ petition seeking a writ of mandamus without first submitting any representation before the authority concerned for redressal of his grievances and has directly approached this Court.

4. In the aforesaid background, the petitioner is directed to file a representation before Respondent No. 3, The Director-in-Chief (Nursing), Directorate of Health Services, Health Department, Government of Bihar, Patna, along with a copy of this order, within a period of 30 days from today, raising all the grievances urged in the present writ petition. Upon receipt of such representation, the said respondent is directed to consider and dispose of the same by passing a reasoned and speaking order, after affording an adequate opportunity of hearing to the petitioner within 90 days from the date of its filing.

5. It is made clear that this Court has not expressed any opinion on the merits of the case, and the authority concerned shall decide the representation independently, strictly in accordance with law.

6. With the aforesaid observations and directions,

WEB COPY

the writ petition stands disposed of.

(Dr. Anshuman, J)

Anjali/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.10.2026
Transmission Date	NA

WEB COPY