

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10305 of 2015

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Dr. Zafir Hassan Son of Late Haji Amir Hassan, resident of village- Rupani,
P.S.- Pathergama, District- Godda, Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna
2. The Principal Secretary, Department of Health, Government of Bihar.
3. The Director-in-Chief, Health Services, Government of Bihar, Patna
4. The District Magistrate-cum-Collector, West Champaran at Bettiah
5. The Civil Surgeon-cum-Chief Medical Officer, West Champaran at Bettiah
6. The Incharge Medical Officer, Primary Health Centre, Majhaulia, West Champaran at Bettiah

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv

For the Respondent/s : Mr. GP1- U.S.S.Singh

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 28-07-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner in this writ application has prayed for following relief:-

“for commanding and directing the respondent authorities to pay the salary to the petitioner, which is due from September, 2013 till date, for the post of Medical Officer, Primary Health Centre, Majhaulia, West Champaran, Bettiah, the petitioner further prays for issuance of an order.”

and when it is stated that the petitioner is suffering from cancer, this Court on finding that the matter was under consideration of the State Government as would be

apparent from the letter of Secretary dated 09.09.2014, as contained in Annexure-9 seeking comments from Civil Surgeon, West Champaran, Bettiah, it would direct the Principal Secretary of Health Department being the competent authority to consider the grievance of the petitioner and take a decision as with regard to his claim for payment of salary for the aforesaid period as early as possible and preferably within a period of three months from the date of receipt of this order.

This Court however also makes it clear that it has has not expressed its opinion on the merits of the claim of the petitioner and it would be for the Principal Secretary of the Health Department to take a decision in accordance with law.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

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