

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5125 of 2015

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1. Dr. Ajay Kumar Singh son of Late Ram Narayan Singh, resident of Flat no. 405 (E), Keshav Palace, Khazpura, Bailey Road, Patna 800014.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Health Government Bihar, Patna.
2. The Principal Secretary, Health Government Bihar, New Secretariat, Patna.
3. The Joint Secretary, Health, Government of Bihar, New Secretariat, Patna.
4. The Director, Indigenous Medicine, Health, Government of Bihar, New Secretariat, Patna.
5. Dr. (Smt.) Indu Mishra, Wife of Late Dr. S,N. Mishra, Resident of Flat no 60, Block no 4 PRDA Building, P.S. Rajendra Nagar, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Respondent/s : Mr. GA1- Shyam Kishor Sharma

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 15-04-2015

Private respondent is on the verge of superannuation. The issue raised by the petitioner obviously has been provoked for the reason that he got an opportunity to officiate as Principal of Ayurvedic College at Patna during the period of suspension of respondent no.5. Now, he does not want to give up that advantage of officiation.

It is not that the private respondent was appointed as a Principal recently. Such discrepancy ought to have been made when the initial appointment was made of the private respondent. It is a motivated kind of writ application, which is dismissed. Petitioner

should await the post becoming vacant on a permanent basis after superannuation of the private respondent and then allow the respondents to take a decision as to who should be the Principal on a regular basis instead of officiating capacity.

(Ajay Kumar Tripathi, J)

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