

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5909 of 2016

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Dr. Om Prakash Narayan, S/o Late Shiv Nandan Prasad, R/o Sipara, P.S. - Beur,
Distt. - Patna. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Health Department,
Government of Bihar, Patna.
2. The Under Secretary, Health Department, Government of Bihar, Patna.
3. The Director (Ayurved), Health Deptt., Govt. of Bihar, Patna.
4. The Principal, Government Ayurvedic College, Patna. Respondents

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Appearance :

For the Petitioner/s : Mr. Atal Bihari Pandey, Advocate
For the Respondent/s : Mr. N.K. Singh, G.P.-26

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 19-05-2016

Heard both the parties.

The writ application is dismissed with liberty to the petitioner to seek appropriate remedy and damages in terms of the contract before a Civil Court of competent jurisdiction. The matter cannot be adjudicated under Article 226 of the Constitution of India, looking into the nature of the engagement of the petitioner which was a contract for service and not of service. Petitioner knew his legal status from the day the contract was entered between him and the respondents.

(Ajay Kumar Tripathi, J)

Vats/-

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