

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21308 of 2011

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Chandra Kishore Prasad , s/o Late Dr. Ganesh Prasad, resident of mohalla
– Durgacharan lane, Gulzarbagh, Patna- 07 at present retired Statician
from Training Center Sheikhpura Health and Welfare Department,
Government of Bihar,

.... Petitioner/s

Versus

1. The State of Bihar through Secretary cum Commissioner New
Secretariat Government of Bihar Health Department Government of
bihar, Union of India
2. The Secretary cum Commissioner New Secretariat Health
Department Government of Bihar
3. The Director in Chief Health Department Govt. of Bihar
4. The Principal Regional Family Planning and Welfare Training Center,
Sheikhpura, Government of Bihar, patna
5. The Accountant General, Government of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uma Kant Verma

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

6 09-08-2016 Heard Sri Uma Kant Verma, learned counsel for the
petitioner and Sri Kameshwar Prasad Gupta, learned GP No. 10.

The present writ petition has been listed under the
heading “For Order On Petition i.e. I.A. No. 5267 of 2016”. In the
interlocutory application the petitioner has made a prayer for
allowing him to confine the relief to the extent of fixation of pay
in accordance with the recommendation of the 6th pay revision

commission report. Earlier the main writ petition was filed with a prayer to direct the respondents to grant A.C.P. with effect from 7.3.1996 and also for direction for fixing the pay scale in view of 6th pay revision commission report. By filing the interlocutory application it has been indicated that for claim of fixation of pay scale as per 6th pay revision commission report the petitioner has filed a detailed representation before the Principal Secretary, Health Department, Government of Bihar.

Learned counsel for the petitioner now makes a prayer for disposal of the main writ petition even under the heading "For Order On Petition" to the extent of directing the respondent no. 2 to consider his representation and pass order in accordance with law. The representation has been brought on record as Annexure – '6' to the present interlocutory application.

In view of limited prayer made by the petitioner through the interlocutory application the court proposes to dispose of the main writ petition along with the present interlocutory application with an observation that the respondent no. 2 may examine the representation of the petitioner i.e. Annexure - '6' to the interlocutory application in its right perspective preferably within period of three months from the date of receipt / production of a copy of this order.

It is made clear that this court has not recorded any
opinion on the merit of the case.

(Rakesh Kumar, J)

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