

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21154 of 2013

=====

1. Dr. Anil Kumar Thakur Son Of Rajendra Thakur Resident Of Mohalla Kashim Bazar, Near Durga Asthan P.O. Dist - Munger At Present Posted As Civil Assistant Surgeon And Working As Medical Officer, Primary Health Centre Pratappur, Badahiya, District Lakhisarai

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Health Education And Family Planning Department Government Of Bihar Patna
3. The Principal Secretary, Finance Department Government Of Bihar, Patna
4. The Civil Surgeon-Cum-Chief Medical Officer, District Lakhisarai

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh, Advocate.

For the State : Mr. Shailendra Kumar Jha, AC to AAG 13

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 12-04-2016

Heard learned counsel for the petitioner and learned counsel for the State.

In the present writ petition, basically petitioner has prayed for payment of arrears of salary for the period 13.11.2007 to 1.4.2008.

Petitioner is a Doctor in the Health Department. Petitioner was directed to attend training of Anesthesia vide Government of Bihar memo no. 1902 dated 22.11.2007 from 26.11.2007 to 30.3.2007 in Patna Medical College and Hospital,



Patna and also Indira Gandhi Institute Medical Science, Patna. The said letter was issued in compliance of the order vide memo no. 4666 dated 8.11.2007 of the State Health Society, Bihar. In terms of the aforesaid letter for the purposes of attending the training he was relieved on 31.3.2008. After completing training he joined again to the duty on 1.4.2008 as Medical Officer Additional Primary Health Centre Pratappur, Barhia, Laakhisarai but his services was not regularised nor was paid arrears of salary.

Today a counter affidavit has been filed by he State from where it emerges that respondents considered the case of the petitioner, found that his claim and grievance is legal and proper, accordingly vide memo no.286 dated 2.1.2015 the period, the petitioner, remained attending the training, has been regularised. But the notification shows that he has been treated to be waiting for posting.

Learned counsel for the State submits that this clerical error would be rectified.. It requires proper modification so much so the petitioner would be paid salary for the period he remained attending the training in the anesthesia.

In that view of the matter, this Court directs that payment should be made to the petitioner and his services should be

regularised in proper manner.

With the aforesaid observation this writ petition is disposed
of.

(Shivaji Pandey, J)

Vinay/-

U			
---	--	--	--