

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5810 of 2014

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1. Yuyraj Kumar Paul Son Of Late Bhuvneshwar Paul Resident Of Village -
Mednipur, P.S. Manihari, District - Katihar

.... Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Health Department, Government Of Bihar, Patna
3. Director - In - Chief, Health Services, Bihar, Patna
4. Civil Surgeon - Cum - Chief Medical Officer, East Champaran (Motihari)
5. Incharge Medical Officer, Primary Health Centre, Pakridayal, District East
Champaran (Motihari)
6. District Magistrate, East Champaran (Motihari)
7. Deputy Collector, Incharge, Establishment, East Champaran Collector, Motihari
8. Manoj Kumar Paul Son Of Late Bhuvneshwar Paul Residing Near Primary
Centre, Pakridayal, P.O. And P.S. - Pakridayal, District - East Champaran (Motihari)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gyanand Roy

For the Respondent/s : Mr. AAG13- A.K.Choudhary

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 05-02-2016

Heard learned counsel for the parties.

Dispute of the kind raised by the petitioner cannot be adjudicated under Article 226 of the Constitution of India. If he wants any claim as on the basis of being a legal heir of the erstwhile employee, then let him beget a declaration from the civil court of competent jurisdiction in this regard.

If the respondents have made settlement, it has been done on the basis of the declaration made by the erstwhile employee and the private-respondent, who happens to be the

younger brother of the petitioner, has rightly derived benefit of such nominee.

Writ application is dismissed with liberty as above.

It is also open to the petitioner to raise issue about the correctness or otherwise of the private-respondent, the brother of the petitioner, being made a nominee.

(Ajay Kumar Tripathi, J)

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