

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9292 of 2014**

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1. Dr. Nikhil Kumar Rohatgi son of Late M.P. Rohatgi resident of Lallu Babu's Lane, P.O. Begusarai, Police Station - Chauk, Patna City, Patna 800009, District - Patna, presently Posted as Medical Officer Incharge, Primary Health Centre, Imamganj, Gaya

.... .... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Health & Family Welfare, Patna  
2. The Secretary, Department of Health & Family Welfare, Bihar, Patna  
3. The Civil Surgeon, Gaya

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Dinesh Maharaj  
For the Respondent/s : Mr. Subhash Pd. Singh

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**  
**ORAL ORDER**

3      28-11-2016                      Vide order dated 09.09.2016 petitioner has been dismissed from service after the departmental proceeding was conducted afresh.

If this be so, the present writ application has become infructuous in the changed circumstances.

Petitioner will be free to challenge this order, contained in Annexure-E to the supplementary counter affidavit or for such other relief, which he can beget, if he succeeds.

This writ application is dismissed in terms of above.

**(Ajay Kumar Tripathi, J)**

SKM/-  

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