

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1149 of 2013

IN

Civil Writ Jurisdiction Case No. 17813 of 2009

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Vimal Kumar Yadav, Son of Late Subalal Yadav, Resident of Village- Jabadi @
Jubadi, Post- Dhamaura, P.S. Babu Barhi, District- Madhubani

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Health And Family Welfare,
Government of Bihar, New Secretariat, Patna
2. The Director-In-Chief, Health Services, Government of Bihar, Patna
3. The Deputy Director, Health Services, Government of Bihar, Patna
4. The Regional Deputy Director, Health Services, Government of Bihar, New
Secretariat, Patna
5. The Additional Director, Health Services (Administration), Government of
Bihar, Patna
6. The Civil Surgeon-cum-Chief Medical Officer, Madhubani
7. The Incharge Medical Officer, Primary Health Centre, Ghoghardiha,
Madhubani

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Jai Prakash Verma, Advocate
For the Respondent/s : Mr. Sunil Kr. Mandal, SC-3
Ms. Neelam Kumari, AC to SC-3
Mr. Bipin Kumar, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 23-09-2016

Delay in filing the memo of appeal is condoned.

I.A. No. 6618 of 2013 is, accordingly, disposed
of.

Heard learned counsel for the parties and with
their consent, this appeal is being disposed of at this stage itself.

This appeal arises from the order dated 16.04.2010,

passed by learned Single Judge in C.W.J.C. No. 17813 of 2009 (Vimal Kumar Yadav Vs. The State of Bihar and others).

Having heard learned counsel for the appellant, learned counsel for the State and having perused the records, we are of the opinion that no interference is called for.

Writ petitioner- appellant's services were terminated in the year 2002 on the ground that he was illegally appointed. He did not challenge his termination. For the first time, he moved the Court only in the year 2009 by the said writ petition. In between, in large number of cases, this Court had remanded the matters of termination of services of various employees to a Committee to re-examine the same in light of Uma Devi's case. Writ petitioner-appellant did not take advantage of that situation as well.

In the aforesaid circumstances, the learned Single Judge refused to interfere in the matter. We see no reason to take a different view of the matter. This appeal is, accordingly, dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Arjun/Rajesh

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