

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.14 of 2017

In

Civil Writ Jurisdiction Case No. 11268 of 2015

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1. Dr. Surendra Prasad Son of Late Ram Janam Prasad resident of House No. 715/A, Mohalla - Bhagwat Nagar, Behind Samrat Hospital, Post Office - Bahadurpur Housing Colony, Kankarbagh, Patna - 26, Police Station - Agamkuan, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Mr. Anjani Kumar Singh, The Chief Secretary, Government of Bihar, Patna.
2. Mr. R.K.Mahajan, the Principal Secretary, Department of Health, Government of Bihar, Patna.
3. Mr. R.K. Mahajan, the Secretary, Department of Health, Government of Bihar, Patna.
4. Mr. Anil Kumar, the Deputy Secretary, Department of Health, Government of Bihar, Patna.
5. Mr. Deepak Kumar, the then Principal Secretary, Department of Health, Government of Bihar, Patna.
6. Mr. Anand Kishore, the Committee headed by Mr. Anand Kishore, the Secretary, Department of Health-cum-the Executive Director, SHS, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Shekhar
Mr. Sanjeev Kumar

For the State : Mr. S.D. Yadav, A.A.G.-IX
Mr. Prem Ranjan Kumar, A.C. to A.A.G.-IX

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 11-12-2017 In pursuance of the order dated 21.11.2017, the Principal Secretary, Department of Health, Government of Bihar, Patna, is personally present and has also filed show-cause.

From a perusal of the show-cause, it appears that now the proceeding has reached its finality and the order of punishment has been passed against the petitioner.



The delay has also been explained that same was occasioned on account of procedure which occurred on account of certain circumstances which were beyond the control of the concerned officer.

Thereafter, the matter has been placed before the departmental Minister and has also been forwarded to the B.P.S.C. for its approval. Ultimately, now the proceeding has reached its finality. He has expressed his regret for the delay.

Learned counsel for the petitioner submits that after the order of punishment, the petitioner has now joined in the department, but has been kept “waiting for posting” but he is to superannuate on the 31st of this month and, therefore, it would be proper that steps be taken for placing him on a post before he superannuates so that it may not create further difficulty for him.

In response thereto the Principal Secretary, Department of Health, Government of Bihar, has submitted that appropriate orders would be passed in accordance with the procedure and after the matter is placed before the competent authority. The order is expected to be passed within a fortnight, before he superannuates.

In view of the fact that the matter stands sufficiently explained in the show-cause today, the M.J.C. application now



stands disposed of.

(Anjana Mishra, J)

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