

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20066 of 2010

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Dr.Gauri Kant Mishra S/O Late Tara Kant Mishra, R/O Vill- Nawani, P.S-
Jhanjharpur, Distt- Madhubani, presently posted as Assistant Professor,
Department of Anatomy, Darbhanga Medical Collage, Laheriasarai,
Darbhanga.

.... Petitioner

Versus

1. The State of Bihar
2. The Secretary, Department of Health, Government of Bihar, New
Secretary, Patna.
3. The Joint Secretary, Department of Health, Government of Bihar, New
Secretariat, Patna.
4. The Deputy Secretary, Department of Health, Government of Bihar, New
Secretariat, Patna.
5. The Under Secretary, Department of Health, Government of Bihar, New
Secretariat, Patna.
6. The Principal, Darbhanga Medical Collage, Laheriasarai, Darbhanga.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Pushkar Narain Shahi

For the Respondent/s : Mr. AC to GA-7

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 23-05-2017 Heard Sri Anil Singh, learned counsel, who has

appeared on behalf of the petitioner as per instruction of Sri

Pushkar Narain Shahi, learned counsel for the petitioner (now he

has become Addl. Advocate General) as well as learned AC to

Government Advocate no.7.

The petitioner has approached this Court, by filing

the present writ petition under Article 226 of the Constitution of

India, with a prayer to direct the Respondents to consider his case

for promotion as Associate Professor, Department of Anatomy



from appropriate date with all consequential monetary benefits and also to consider his case with monetary benefit under the Assured Career Progression Scheme after regularizing certain periods.

In this case, a counter affidavit was filed on behalf of Respondent nos.2 and 5 and, thereafter, the petitioner has filed supplementary affidavit and second supplementary affidavit. By way of referring to second supplementary affidavit, learned counsel for the petitioner has prayed for directing the Respondents to consider his representation dated 19.04.2014, which has been brought on record as Annexure-22 to the writ petition and pass appropriate order in accordance with law.

Considering the limited prayer made by learned counsel for the petitioner, there is no reason to further keep the matter pending. The writ petition stands disposed of with direction to the concerned authority to consider the representation of the petitioner dated 19.04.2014 and pass appropriate order in accordance with law.

It goes without saying that this Court has not recorded any opinion on the merit of the case. The Court expects that the Respondents may take decision on the representation of the petitioner within three months from the date of



receipt/production of a copy of this order.

(Rakesh Kumar, J)

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