

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.160 of 2016

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Naresh Ram Son of late Moti Chand Resident of Village Chotki, Tangraila, P.s
Naubatipur, District Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Health Department,
Government of Bihar Patna.
2. Additional Secretary, Health Department , Government of Bihar Patna.
3. Deputy Secretary, Health Department , Government of Bihar Patna.
4. Indira Gandhi Institute of Medical Sciences, through its Director, I.G.I.M.S.
Sheikhpura, Patna.
5. Deputy Director(Administration), Indira Gandhi Institute of Medical Sciences,
Sheikhpura, Patna.
6. Chief Administrative Officer, Indira Gandhi Institute of Medical Sciences,
Sheikhpura, Patna.
7. Administrative Officer, Indira Gandhi Institute of Medical Sciences,
Sheikhpura, Patna.

.... Respondents

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Appearance :

For the Petitioner/s	: Mr. Shiv Kumar, Advocate
For the State	: Mr. Sanjay Kumar, AC to GA-13
For IGIMS	: Mr. Sunil Kumar Singh, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 17-01-2017

Heard parties.

It is contended on behalf of the petitioner that though his case is covered by a decision of the Single Judge Bench of this Court rendered in CWJC No.5537 of 2009 disposed of on 3.02.2010 as well as order dated 22.06.2011 passed in LPA No.503 of 2010 by a Division Bench of this Court against which S.L.P. was dismissed *in limine*, others have been granted benefit but the petitioner has been left out and he has come up before this Court as the authorities of



IGIMS did not act in accordance with clause 4 (C) (1) OF Bihar State Litigation Policy, 2011.

It is contended that subsequently in the case of Kamal Bharti, a Single Judge Bench of this Court vide its order dated 25.09.2014 passed in CWJC No.7364 of 2014 had directed the IGIMS to take a decision in the light of clause 4 (C) (1) of Bihar State Litigation Policy, 2011. The petitioner claims that, thereafter, his service has also been regularized.

In my view, if in every case, affected person has to come before this Court by filing writ petition then an order would pass to consider his case in the light of the provisions of the Bihar State Litigation Policy, purpose of making such policy itself stands defeated as the purpose was to reduce the number of cases by resolving the issue at the outset so that every one does not have to approach this Court by filing separate writ petition on the issues which have already been set at rest.

Learned counsel for the IGIMS submits that, in case the petitioner's case is covered by the aforesaid decisions, his case would also be considered accordingly.

Accordingly, this writ application stands disposed of in terms of a decision of Single Judge Bench of this Court rendered in CWJC No.5537 of 2009 disposed of on 3.02.2010 as well as order



dated 22.06.2011 passed in LPA No.503 of 2010 by a Division Bench of this Court and a decision of the Single Judge Bench of this Court dated 25.09.2014 passed in CWJC No.7364 of 2014 directing the petitioner to again represent before the authority concerned which shall consider his case within a period of four weeks from the date of receipt/production of a copy of this order in the light of clause 4 (C) (1) of Bihar State Litigation Policy, 2011.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	19.01.2017
Transmission Date	N.A.

