

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5677 of 2014

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Santosh Prasad Son of Late Sheopujan Mahto, resident of village:
Dhumnagar, Kachhari Tola, P.S.: Nautan, District: West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Health Department, Govt. of Bihar, Patna
3. The Secretary cum Executive Director, State Health Samittee, Bihar,
Patna
4. The Director-in-Chief, Health Services, Bihar, Patna
5. The Deputy Director, Health Services, Tirhut Division, Muzaffarpur
6. The District Officer, West Champaran, Bettiah
7. The Civil Surgeon-cum-Chief Medical Officer, West Champaran, Bettiah
8. The Civil Surgeon-cum-Chief Medical Officer, West Champaran, Bettiah
9. The Incharge Medical Officer, Primary Health Centre, Sikta, West
Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Respondent/s : Mr. Kumari Amrita

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 25-07-2017 Heard both sides.

The petitioner has filed this petition for quashing the order dated 18.03.2013, contained in Memo No. 719, issued under the signature of the Civil Surgeon-cum-Chief Medical Officer, West Champaran, Bettiah by which one increment of the petitioner was stopped with non-cumulative effect.

A preliminary objection has been raised that the minor punishment is awarded and there is a provision under the C.C.A. Rules for appeal against the order of the Disciplinary



Authority, but the petitioner has not preferred appeal.

Learned counsel for the petitioner submits that he may be permitted to withdraw this petition with a liberty to present appeal before the appropriate authority.

Having considered the facts and circumstances of the case, this writ petition is dismissed as withdrawn with a liberty to the petitioner to present appeal before the appropriate authority, who shall consider the appeal of the petitioner within a period of three months from the date of filing of memo. of appeal.

(Prabhat Kumar Jha, J)

Mahesh/-

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