

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3882 of 2014

In

Civil Writ Jurisdiction Case No.6586 of 2013

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Suchit Prasad Singh Son of Late Ram Janam Singh Resident of Village -
Saidpur Sahri, P.S.- Barh, Distrit -Patna at present working as Lab Technician
on deputation at P.M.C.H. Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Department of Health, Govt. of Bihar, Patna namely Mr. Deepak Kumar
2. The Director in Chief, Health Service, Govt. of Bihar, Patna namely Mr. Surendra Prasad
3. The Civil Surgeon cum the Chief Medical Officer, Patna District - Patna namely Dr. Krishan Kumar Mishra
4. The Superintendent, P.M.C.H., Patna Distrit -Patna namely Dr. Lakhandar Prasad
5. The Medical Officer, P.H.C., Barh, District - Patna namely Dr. D. Paswan
6. The Secretary, Department of Finance, Govt. of Bihar Patna namely Mr. Rameshwar Singh

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Respondent/s : Mr. Ajay Behari Sinha, G.A. 8

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

7 29-11-2017 On 01.07.2014 C.W.J.C. No. 6586 of 2013 was disposed
of with the following direction:-



“This writ application is accordingly disposed of with a direction to the Superintendent, P.M.C.H. to see to it that the claim of the petitioner, as made in the representation, is considered and all admissible allowances, to which he may be entitled, are paid to him in accordance with law. In case he does not find that the petitioner is entitled to the allowances, he shall pass a reasoned order and communicate it to the petitioner. Final orders, either way, must be passed by him within two months from the date of receipt/production of a copy of this order.”

From the aforesaid direction issued, it is clear that no mandamus was issued. The only direction was to consider the representation of the petitioner and the admissible allowance be paid to the petitioner.

The respondents from the show-cause and the supplementary show-cause filed have paid him the allowances for deputation for the period of three years and with regard to various other claims guidelines was sought for from the Finance Department and now the department says that no further payment is to be made.

Keeping in view the nature of order passed by the Writ



Court and the compliance reported by the respondents, this is not a fit case where action for contempt can be initiated against the respondents. They are discharged of the proceedings and in case petitioner has any grievance still subsisting, he is granted liberty to challenge the same afresh in accordance with law.

With the aforesaid, the application stands disposed of.

(Rajendra Menon, CJ)

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