

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7770 of 2016

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Dr. Radheshyam Prasad S/o Late Shivtahal Prasad, R/o At + P.O.& P.S.-
Motipur, District- Muzaffarpur, Superannuated from the Post of Medical
Officer, while Posted in Primary Health Centre, Tariyani Distt- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department,
New Secretariat, Government of Bihar, Patna.
2. The Joint Secretary, Health Department, New Secretariat, Government of
Bihar, Patna.
3. The Under Secretary, Health Medical Education and Family Welfare
Department, Bihar, Patna.
4. The Deputy Director, Health Service (Vya) Bihar, Patna.
5. The Civil Surgeon cum Chief Medical Officer, Sheohar.
6. The Civil Surgeon Cum Chief Medical Officer, Madhepura.
7. The State of Jharkhand through the Civil Surgeon cum Chief Medical
Officer, Giridih.
8. The District Provident Officer, Sitamarhi.
9. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Verma Advocate
For the Respondent/s	:	Mr. Yogendra Pd. Sinha AAG15
For the Accountant General	:	Mr. Kameshwar Prasad Gupta Advocate
For the State of Jharkhand	:	Mr. Arup Kumar Chongdar Advocate Mr. Md. Nazir Ansari Advocate Mr. Ganesh Singh Advocate

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI**
ORAL ORDER

2 06-07-2017 I. A. No. 9970 of 2016 has been filed for substitution
of the sole petitioner, who is said to be dead on 15.07.2016. The
wife claims herself to be the sole legal heir.

Without prejudice to the right of any other claimants,



if there is one, I. A. No. 9970 of 2016 is allowed.

Let Sadhna Kumari, who claims herself to be the wife of Late Radheshyam Prasad, be substituted as petitioner.

Since pension, gratuity etc. has already been authorized and even paid, the only issue remained, is payment of earned-leave as well as salary for leave period.

On an application being filed by the petitioner with a copy of this order before the competent authority, they will verify this position and if not paid or authorized, necessary steps will be taken in accordance with law, preferably within a period of three months from the date of filing of such an application.

Writ application stands disposed off in terms of the above.

(Ajay Kumar Tripathi, J)

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