

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1702 of 2016
IN
Civil Writ Jurisdiction Case No. 10912 of 2014
With
Interlocutory Application No. 7004 of 2016

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1. Dr. Dhananjay Kumar son of Late Awadh Kishore Prasad resident of village - Shree Baidyanath Ayurved Bhawan, B.B. Road, P.S. - Jakanpur, Dist - Patna.
 2. Dr. Upendra Kumar S/o S.P. Vishwakarma resident of Chhota Govindpur, P.S. + Dist. Jamshedpur.
 3. Dr. Ramdeo Prasad Sinha S/o - Sheo Narayan Prasad resident of Gaywal Bigha Akhara, P.S. Rampur, Dist - Gaya.
 4. Dr. Ajay Kumar Singh S/o Janardan Prasad Singh resident of B.J. Stores, Kanholi Naka Road, Chatrabhuj Asthan, P.S. + Dist Muzaffarpur.
 5. Dr. Arun Kumar S/o - Shiv Shankar Prasad resident of Behind Chandan Cement At P.O. + P.S. Belasand, WNO 06, Dist - Sitamarhi.
 6. Dr. Pradeep Kumar Mehta S/o - Mohan Lal Mehta Sardha Homoeo Clinic, Om Market, Jagdeo Path, P.O. B.V. College, P.S. - Shastrinagar, Dist - Patna.
 7. Dr. Avinash Kumar S/o - Late Ram Prasad Singh resident of Moh - Shiv Colony, Raja P.O. BVC Patna, P.S. Shastri Nagar, Dist - Patna.
 8. Dr. Naresh Kumar Himkar S/o - Late Chandeshwar Thakur resident of At P.O. + P.S. Kalyanpur Chowk, Dist - Samastipur.
 9. Dr. Md. Rizwanullah s/o - Md. Tajammul Hussain c/o - Rahimiya Dawakhana, Gulistan Mohalla, P.S. Phulwarisharif, District - Patna.

.... Applicants / Appellants

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Old Secretariat, Patna.
2. The Principal Secretary, General Administration Department, Govt. of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Department of Health, Govt. of Bihar, Old Secretariat, Patna.
4. The State Health Society, through its Executive Director, Sheikhpura, Patna.
5. The Secretary Health cum Executive Director, State Health Society, Bihar, Parivar Kalyan Bhawan, Patna.
6. The State Programme Officer, State Health Society, Bihar, Parivar Kalyan Bhawan, Patna. Respondents 1st Set / Respondents
7. Prem Prabhakar S/o Indradeo Singh Resident of Village - Boknarikhurd, P.O. - Makhdumpur, District - Jehanabad.
8. Kumar Rajeev Suman S/o Late Vyas Nandan Rai Resident of Village - Bhirha, P.S. Rosera, District Samastipur. Respondents / Respondents.
9. Dr. Mohd. Akram C/o Mohd. Ilyas, resident of House No. 116, Road - 3/D, At & P.O. New Karimganj, Gaya, presently posted Ayush Ayurvedic Doctor at Madhepura.
10. Dr. Sanjeev Kumar C/o Late Satyendra Prasad Singh, resident of Vill - Murvadih, P.O. Murara, Biharsharif, Nalanda, presently posted Ayush Homeo Doctor at Saharsa.
11. Dr. Chandrashekhar Singh C/o Birendra Singh, resident of Vill - Bhabua, Chhwani Muhalla - 9, Ghoori Babu Lane, Kaimur presently posted Ayush Ayurvedic Doctor at Madhepura.



.... Respondents 2nd set / Respondents

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(In LPA No.1702 of 2016)

For the Appellant/s : Mr. Amish Kumar, Advocate.

For the State: Mr. Md. Nadim Seraj, G.P. 5 &
Mr. Shailesh Kumar, AC to GP 5.

For the Respondents & & 8: Mr. Madhuresh Singh,
Mr. Dipak Kumar and
Mr. Ashutosh Kumar, Advocates.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date: 14-12-2017

Re. I.A. No. 7004 of 2016.

Having considered the averments made in Interlocutory Application No. 7004/2016, we do not find any merit in the Interlocutory Application.

The Interlocutory Application is dismissed.

Re. L.P.A. No. 1702 of 2016.

Heard learned counsel for the appellants, learned counsel representing the private respondents, the State Health Society as also for the State of Bihar.

The present Letters Patent Appeal arises from the order dated 01.08.2016 passed in CWJC No. 10912 of 2014 by a learned single Judge of this Court.

Similar questions of facts and law, as have been raised in the present appeal, have been raised in L.P.A. No. 1642 of 2016 by



challenging the impugned order dated 01.08.2016 passed in CWJC No. 10912 of 2014 by a learned single Judge of this Court which has been dismissed by us today itself.

The rationale and reasoning given in the order dated 14.12.2017 passed in the said L.P.A. No. 1642 of 2016 shall also govern the present case.

In above view of the matter, the present Letters Patent Appeal stands dismissed in terms of the order dated 14.12.2017 passed in L.P.A. No. 1642 of 2016.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	18.12.2017
Transmission Date	N/A

