

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2314 of 2015

Arising out of

Civil Writ Jurisdiction Case No. 2595 of 2015

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Ragini Kumari @ Rajni Kumari daughter of Surendra Pandey, wife of Diwakar Kumar Sharma resident of village Panchwati Nagar, Bazar Samittee, P.S. Bahadurpur, District - Patna.

.... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary-cum-Commissioner, Health Department, Government of Bihar, Patna.
3. The Director (Health), Government of Bihar, Patna.
4. The Deputy Director (Health), Patna Division, District Patna.
5. The District Health Officer, Patna.
6. District Magistrate, Patna.
7. Civil Surgeon-cum-Member Secretary, District Health Committee, Patna.
8. Incharge Medical Officer, Sub-Divisional Hospital, Danapur, Patna.
9. Incharge Medical Officer, Sub-Divisional Hospital, Masaurhi, Patna.
10. Pooja Singh daughter of Pramod Kumar resident of village Friday Bazar, Q.No. 161, P.S. Gandhi Nagar, District Bokaro.
11. Rashmi Sinha daughter of Nagendra Prasad resident of village/mohalla Patna City, P.S. Khajekala, District Patna.
12. Seema Suman Kumari daughter of Raj Nandan Prasad Singh C/o Niranjana Kumar Singh, resident of village Jaytipur, P.S. Naubatpur, District Patna.

.... Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 12-07-2017

Even though challenge in this appeal is made to an order dated 07.04.2015 passed by the learned Writ Court in C.W.J.C. No. 2595 of 2015 and various grounds are raised, we find that the appointment in question was a contract appointment, the period for which was already over and looking to this fact, no indulgence with regard to the same is now called for. However, it is categorically stated by the appellant that prior to termination of her service on a contract basis she has worked for the period 06.01.2014 to 02.01.2015 and remuneration for the aforesaid period has not been paid to her.

That being so, we grant liberty to the appellant to raise a claim with regard to remuneration for the aforesaid period before Respondent No. 7, the Civil Surgeon cum-Member Secretary, District Health Committee, Patna and on the same being done, the Civil Surgeon shall cause an inquiry into the matter and for the work done by the appellant for the period in question remuneration shall be paid to her and it shall be incumbent upon the Civil Surgeon to record reasons and communicate to the appellant. Action be taken in



pursuance to the aforesaid within a period of two months by the Civil Surgeon, Respondent No. 7.

With the aforesaid direction to the Respondent No. 7, the Letters Patent Appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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