

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.150 of 2017

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1. Naveen Kumar Verma, S/o Late Akhileshwar Prasad Verma, Resident of
Muhalla- Hanuman Nagar, New Punaichak, P.S.- Shastri Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Health Department, Govt. of Bihar, Patna.
3. The Secretary, Health Department, Govt. of Bihar, Patna.
4. The Director in Chief, Bihar State Health Service, Govt. of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Dr. Satyendra Kumar Srivastava, Adv.

For the Respondent/s : Mr. Pankaj Kumar- SC12

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 03-07-2017

The petitioner was appointed on the post of Health Educator on 14.2.1994 vide Annexure-1 to the writ petition and continues as such. In fact the promotional benefits were not forthcoming on this post until the Bihar Health Educator Cadre Rules, 2014 were framed providing for a chain of promotion. Even thereafter no steps were taken in this regard. Feeling aggrieved some of the health educators earlier come before this Court and directions were issued for taking steps for preparation of gradation list and its follow up to promotion. Even though a gradation list has since been prepared on 9.5.2016 as contained in Annexure 6 which bears the name of these petitioner but thereafter the matter hangs in limbo. It is rather unfortunate that the petitioner and the likes have been continued on the post of Health



Educators since more than two decades and no steps have been taken by the Health Department including the Director-in- Chief as well as the Principal Secretary in granting them promotional benefits even after framing of the Bihar Education Educator Cadre Rules, 2014.

A counter affidavit is filed on behalf of the Director in Chief Health Services and through paragraph 6 it is informed that promotional posts have been identified along with the list of institutions as manifest from Annexure-A to the counter affidavit. It is further mentioned at paragraph 7 that a three member Committee has been constituted vide order bearing Memo No.355(4) dated 15.3.2017 consisting of the Director-in-Chief (Administration), the Director and the Additional Director vide Annexure-B for sending their recommendations within a period of 30 working days. Though the 30 stipulated working days have long lapsed but the issue has not been resolved. It is now stated by the Director-in-Chief through the counter affidavit that the grievance raised shall be resolved shortly.

Having heard learned counsel for the parties and considering that steps have been taken by the Health Department which is inclusive of the Principal Secretary, Health Department and the Director-in-Chief, Health Services for providing promotion to the Health Educators as per the statement present at paragraph 6 to 8 of the counter affidavit filed today, I deem it proper to dispose of the



writ petition with the direction to the respondent Nos. 2 to 4 to take appropriate expeditious steps to attach finality to such exercise which should be concluded within a period of 3 months from the date of receipt production of a copy of this order.

The writ petition is allowed with the direction aforementioned.

(Jyoti Saran, J)

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.07.2017
Transmission Date	NA

