

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12936 of 2017

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1. Munna Prasad, son of Late Prabhu Mahto, resident of Village- Choti Chharyari, Police Station- Tharthari, District- Nalanda at Biharsharif.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, New Secretariat, Patna.
2. The Principal Secretary, Department of Health, New Secretariat, Patna.
3. The Director-in- Chief, Health Services, New Secretariat, Patna.
4. The Regional Deputy Director, Department of Health, Patna Division, Patna.
5. The Civil Surgeon-cum- Chief Medical Officer, Nalanda at Biharsharif.
6. The District Leprosy Eradication Officer, Nalanda-cum- Conducting Officer in the Department Proceeding.
7. The Incharge Medical Officer, Primary Health Centre, Islampur, District Nalanda at Biharsharif-cum- Presenting Officer in the Departmental Proceeding.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Respondent/s : Mr. Mujtabul Haque-Gp12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-04-2018 The learned counsel for the parties are in agreement that the order dated 09.12.2015, passed by the respondent no. 5 is appealable and infact, the petitioner has also filed an appeal before the respondent no. 4.

In such view of the matter, the respondent no. 4 is directed to dispose of the appeal of the petitioner herein within 08 weeks from today by a reasoned and speaking order after giving an opportunity of hearing to the petitioner herein.

At this juncture, the learned counsel for the



petitioner has brought to the notice of this Court that by the impugned order dated 09.12.2015, recovery has been directed to be made.

In such view of the matter, the order of recovery as contained in the impugned order dated 09.12.2015 shall remain stayed till the passing of the final order in the aforesaid pending appeal by the respondent no.4.

(Mohit Kumar Shah, J)

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