

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16073 of 2018

Dr. Gurudayal Das @ Gurudayal Das, S/o Late Shri Mishri Das, R/o Village-
Mahamaddipur, P.S.-Mohiuddin Nagar, District-Samastipur.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Health Department Govt. of Bihar, Patna.
2. The Executive Director, State Health Society, Shekhpura, Patna.
3. The Regional Director, Health Division, Darbhanga.
4. The District Magistrate Cum Chairman, District Health Society, Samastipur
5. The District Executive Director, District Health Society, Samastipur.
6. The Civil Surgeon-Cum-Member Secretary, Distirct Health Society, Samastipur.
7. The In-charge Medical Officer, Primary Health Centre, Mohiuddin Nagar, District-Samastipur.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Lakshmindra Kumar Yadav, Advocate
For the State	:	Mr. Ramadhar Singh -GP-25
		Mr. K.K. Sinha, A.C. to G.P.-25
For the Respondent No.2:		Mr. Anirudh Kumar Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-11-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the State Health
Society.

In this case, the petitioner is seeking relief that he
should be allowed to work upto the age of 67 years and has
wrongly been superannuated at the age of 65 years.

Learned counsel for the petitioner submits that the
Government has already taken decision to extend the age of
superannuation on account of dearth of doctors, which is equally
applicable in the case of the petitioner. He further submits that



the case of the petitioner is squarely covered by the judgment and order passed in C.W.J.C. No.10911 of 2018.

It has further been submitted by learned counsel for the petitioner that the petitioner has filed a representation to allow him to continue to discharge the duties upto the age of 67 years at par with the regular doctors of the State Government, which has been sent to the District Magistrate-cum- Chairman, District Health Society, Samastipur.

Learned counsel for the State Health Society submits that the appointment of the petitioner is contractual in nature and the judgment and order passed in C.W.J.C. No.10911 of 2018 is not applicable to the case of the present petitioner.

Let the District Magistrate-cum-Chairman, District Health Society, Samastipur, consider the case of the petitioner and take decision in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

pawan/-

U			
---	--	--	--

