

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4023 of 2016

=====

Dr. Uday Kumar Son of Late Prahlad Prasad Sinha resident of 4A/8, Jagdamba Path, North S.K. Puri, Opposite A.N. College, P.S. Patliputra, District - Patna

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Bihar, Patna
2. Director - In - Chief, Department of Health Services, Bihar, Patna
3. Board of Governors, Indira Gandhi Institute of Medical Sciences, Patna through its Secretary
4. Director, Indira Gandhi Institute of Medical Sciences, Patna
5. Dr Amarendra Kumar son of not known to the Petitioner, presently posted and Working as Professor & Head, Gastroenterology, Indira Gandhi Institute of Medical Sciences, Sheikhpura, Patna 800014

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava, Adv.

For the Respondent/s : Mr. Abbas Haider, SC16

For respondent no.5 : Mr. Pranav Kumar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 04-01-2018

Heard Mr. Abhinav Srivastava, learned counsel for the petitioner, learned counsel for the State and Mr. Pranav Kumar, learned counsel appearing for respondent no.5.

The petitioner is aggrieved by the order bearing Memo No. 134/DC dated 2.8.2014 of the Director, Indira Gandhi Institute of Medical Sciences (IGIMS), whereby respondent no.5 was assigned the additional charge of Dean for tenure of three years.

This writ petition was admitted vide order passed on 21.9.2016 and a Co-ordinate Bench of this Court while admitting the writ petition restrained respondent no.5 from performing the duty as a



Dean till further orders. Meaning thereby, the order was put in abeyance. The order has lost its force on expiry of three years period on 2.8.2017 and whereafter no order has been passed by the Director extending the tenure as admitted by the parties. In other words, the matter has been rendered infructuous by passage of time.

Mr. Srivastava informs that the charge of Dean has now been given to another gentleman which assignment again does not satisfy the petitioner but then his forum would be in a different proceeding and not in the present one.

In the circumstances noted, the writ petition is disposed of as having become infructuous by passage of time.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.01.2018
Transmission Date	NA

