

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6672 of 2016

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Vinod Kumar, Son of Late Kedar Prasad, Resident of Village + P.S.-
Nasriganj, District- Rohtas at present posted as Block Health Manager,
Primary Health Centre, Nauhatta, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Principal Secretary, Department of Health Government of Bihar, Patna.
3. Director, Health Services, Bihar, Patna.
4. Regional Deputy Director, Health Services, Patna Division, Mahendru, Patna.
5. State Health Society, Bihar through its Executive Director, State Health Society, Bihar Paribar Kalyan Bhawan, Sheikhpura,, Patna.
6. Additional Executive Director, State Health Society, Bihar, Paribar Kalyan Bhawan, Sheikhpura, Patna.
7. District Magistrate-cum-Chairman, District Health Society, Rohtas at Sasaram.
8. Civil Surgeon-cum-Secretary, District Health Society, Rohtas at Sasaram
9. In-Charge Medical Officer, Primary Health Centre, Nauhatta, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh, Adv.
For the State	:	Mr. Sudhanshu Shekhar, AC to SC24
For the State Health Society	:	Mr. K.K. Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 20-11-2018

Heard learned counsel for the petitioner and counsel for
the State.

In this case, the petitioner is challenging the order dated
19.3.2016 contained in letter no. 297 passed by the Civil Surgeon
cum Secretary, District Health Society, Rohtas at Sasaram on a
very short point that the order which has been passed by him is a
cryptic order.



The case was remanded back by the Director, Health Services with a direction to pass an order on merit after hearing the petitioner but, the order itself does not disclose what was the reason for rejecting the explanation submitted by the petitioner.

It is a well known principle of law that the reason is the living link between the judgment maker and the judgment. Reliance in this connection may be made to the case of ***Chairman and Managing Director, United Commercial Bank and Ors. Vs. P.C. Kakkar*** reported in (2003) 4 SCC 364.

In that view of the matter, the order dated 19.3.2016 contained in letter no. 297 is quashed and the matter is remanded back to the Civil Surgeon-cum-Secretary, District Health Society, Rohtas at Sasaram who will pass a reasoned order in accordance with law after giving an opportunity of hearing to the petitioner.

In the result, this writ application stands allowed to the extent indicated above.

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.11.2018
Transmission Date	

