

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11517 of 2014

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Dr. Anil Kumar Singh, Son of Late Prof. Shyam Sundar Prasad Singh, resident of Village- Barahi Jagdish, Police Station- Purnahiya, District- Sheohar, whereas at present residing at the Ziyalal Kalabati Hospital, Dumra Road, Sitamarhi, PIN CODE- 843302

.... Petitioner

Versus

1. The State of Bihar
2. The Secretary-cum-Commissioner, Health Department, the Government of Bihar, New Secretariat, Bihar, Patna
3. The District Magistrate-cum-Chairman, District Health Society, Sitamarhi
4. The District Magistrate, Sheohar
5. The Civil Surgeon-cum-Chief Medical Officer,-cum-Secretary, the District Health Society, Sitamarhi
6. The Civil Surgeon-cum-Chief Medical Officer, Sheohar
7. The Deputy Chief Medical Officer, Sadar Hospital, Sitamarhi

.... Respondents

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Appearance :

For the Petitioner : Mr. Jiwan Prakash Sinha, Advocate

For the Respondents : Mrs. V.Laxmi Srivastava, AC to SC 23

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 04-01-2018

Counsel for the petitioner the State are present.

Counsel for the petitioner draws attention of the Court towards the order dated 21.12.2009 (Annexure 4), issued by the Deputy Chief Medical Officer, Sadar Hospital, Sitamarhi (respondent no.7). He submits that in compliance of said findings he is entitled to arrears of salary for the periods which are found due to him and for which there is no allegation of absence from duty.

Whatever may be the worth of Annexure 4 and the petitioner's entitlement arising thereof is an issue to be decided by



the Civil Surgeon-cum-Chief Medical Officer,-cum-Secretary, the District Health Society, Sitamarhi (respondent no.5). The petitioner may approach respondent no.5 with his claim on the basis of Annexure 4. If such claim is made, respondent no. 5 would be obliged to examine the same and dispose of by a reasoned and speaking order with respect to petitioner’s entitlement in accordance with law.

Let such exercise be completed by the petitioner within eight weeks from the date of receipt/production of a copy of this order which the petitioner may place before respondent no.5 along with his representation.

In view of the aforesaid directions, the writ petition is disposed of.

(Madhuresh Prasad, J)

Shashi.

NAFR	
CAV DATE	NA
Uploading Date	6.1.2018
Transmission Date	NA

