

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7281 of 2017

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Awadhesh Kumar Dwivedi Son of Late Indrasan Debey, Resident of Village/Mohallah-Lohgajar, P.O.-Chitanpur, P.S.-Asaw, District-Siwan (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Principal Secretary, Health Department, Government of Bihar, Patna.
4. The Principal Secretary, Finance department, Government of Bihar, Patna.
5. The Director, Indigenous Medicine, (Desi Chikitsa), Government of Bihar, Patna
6. The Deputy Development Commissioner-Cum-Chief Executive Officer, Zila Parishad, Siwan, District-Siwan (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raju Giri, Adv.
For the Respondent/s : Mr. Ashish Kumar Lal, AC to GA-5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 23-07-2018

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

Counsel for the petitioner submits that the petitioner has wrongly been refused to superannuate at the age of 67 when there is an amendment to the Bihar Service Code wherein doctors including Ayush doctor, their age of superannuation has been extended from 65 to 67. It has also been submitted that this issue has already been gone into in the case of Dr. Ajay Kumar Singh Vs. The State of Bihar & Ors. (C.W.J.C. No. 18081 of 2016) and the fact of this case is identical to that case and, thus, case will be



governed by the aforesaid judgment passed in the case of Dr. Ajay Kumar Singh (supra).

In that view of the matter, this Court would also dispose of this case in terms of the case of Dr. Ajay Kumar Singh (supra). If the authority would find that the case of the present petitioner is identical to the case of Dr. Ajay Kumar Singh (supra), the petitioner will be granted the same benefit as has been given to Dr. Ajay Kumar Singh.

With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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