

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.664 of 2016

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Geeta Kumari, daughter of Moti Lal, residence of Purani Gudari, Police Station-Bettiah Town, District- West Champaran, Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Director in chief, Health Services, Government of Bihar, Patna.
3. The Executive Director, State Health Committee, Patna, Bihar.
4. The Regional Deputy Director, Health Services, Tirhut Division, Muzaffarpur.
5. The District Magistrate, West Champaran, Bettiah.
6. The Chief Medical Officer, West Champaran, Bettiah.
7. The In-charge Medical Officer, Lauria, District- West Champaran, Bettiah.
8. The In-Charge Medical Officer, Pirprasi Bhitaha, District- West Champaran, Bettiah.
9. The Treasury Officer, Narkatiya Ganj/Bagaha, District- West Champaran, Bettiah.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Wasi Ahmad Khan, Adv.

For the Respondent/s : Mr. Rakesh Ranjan, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 18-08-2018

Heard Mr. Wasi Ahmad Khan, learned counsel appearing for the petitioner and Mr. Rakesh Ranjan, learned Assisting Counsel to Additional Advocate General No.12.

Mr. Ranjan, learned counsel appearing for the State submits that the entire claim of the petitioner for salary as found admissible has been paid to her. Reference is made to the statement made in paragraph 6 and Annexure 'B' to the counter affidavit in this respect.

The pleadings on record of the writ proceedings would manifest that the petitioner has prayed for payment of salary with effect from the date of her suspension on 10.09.2013 until its revocation on 28.2.2015 and thereafter for payment of regular salary which, according to her, until filing of the writ petition had not been paid.



The matter was heard on 12.1.2018 when direction was given to file counter affidavit and following which it is filed enclosing the letter of the Incharge Medical Officer, Primary Health Centre, Piprasi dated 14.6.2017, whereby it is stated that while the arrears of salary with effect from the date of revocation of suspension and on consequent joining on 26.3.2015 until May, 2017 has been paid, in so far as the payment of subsistence allowance is concerned, the admissible payment has been made.

Mr. Wasi Ahmad Khan, learned counsel appearing for the petitioner disputes the quantum of payment of salary.

Having considered the rival contention, I deem it proper to direct the petitioner to represent before the Civil Surgeon cum Chief Medical Officer, West Champaran at Bettiah in respect of the claim which yet subsists and it goes without saying that any such claim is raised by the petitioner shall be considered and disposed of by the Civil Surgeon cum Chief Medical Officer, West Champaran at Bettiah in accordance with law expeditiously and preferably within a period of three months from the date of receipt/production of a copy of this judgment.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
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