

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9418 of 2018

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Santosh Kumar Tiwari S/o Raghunandan Tiwari resident of village - Sarkar,
P.O. - Belsaraj, P.S. - Deobhawanipur, Dist - Aurangabad, presently
transferred and working as clerk in the office of Additional Chief Medical
Officer, Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Department of Health, New Secretariat, Patna.
3. The Director in Chief, Health Services, Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Civil Surgeon-cum-Chief Medical Officer, Gaya.
6. The Additional Chief Medical Officer, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amrendra Kumar Shrivastawa, Adv. Mr. Amrendra Kr. Shrivastawa, Adv.
For the Respondent/s	:	Mr. Mujtabul Haque- GP12 Mr. Manish Kumar, AC to GP12

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 13-09-2018

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

In this case, the petitioner, vide order dated 29.6.2017,
has been transferred to Additional Chief Medical Officer, Gaya
from Prabhawati Hospital, Gaya by the Civil Surgeon – cum Chief
Medical Officer, Gaya.

Learned counsel for the petitioner submits that he has
handed over the charge to his successor and has also joined the
new place of posting but, he has been denied his salary which has
been emphatically denied by the State submitting that the



petitioner has not handed over the charge and, on that reason, the payment of salary has not been paid to him.

Let the Collector, Gaya should examine the matter with respect to the petitioner. If he would find that the petitioner has already handed over the charge and is discharging the duty, it goes without saying that the petitioner will be paid his salary in accordance with law.

The entire process should be completed within a period of three months from the date of receipt/production of a copy of this order.

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
Uploading Date	19.09.2018
Transmission Date	

