

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4647 of 2014

IN

Civil Writ Jurisdiction Case No. 17980 of 2013

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Anil Kumar, Son of Ram Das Sharma, resident of Village - Bera, P.S.- Masaurhi,
District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Mr. A.K. Sinha, father's name not known to petitioner the Chief Secretary, Government of Bihar, Patna
2. Mr. Deepak Kumar, father's name not known to the petitioner, the Principal Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
3. Mr. Sanjay Kumar, father's name not known to the petitioner, the Secretary, Department of Health and Family Welfare, Government of Bihar, Patna
4. Dr. Surendra Prasad, father's name not known to the petitioner, the Director-in-Chief, Directorate, Health Services, Bihar, Patna.
5. Mr. Indradeo Ranjan, father's name not known to the petitioner, the Director, Tuberculosis Demonstration and Training Centre, Agamkuan, Patna.
6. Mr. K.K. Prasad, father's name not known to the petitioner, the Deputy Director, Health Services (Tuberculosis)-cum-state Programme Officer (Tuberculosis), Agamkuan, Patna.
7. Mr. Lakhendra Prasad, father's name not known to the petitioner, the Superintendent, Patna Medical College & Hospital, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Mr. Shyam Bihari Sinha
For the Respondent/s : Mr M K Upadhyay, AC to GP 3

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 05-01-2018

Inter alia, contending that an order passed on 25.09.2013
in CWJC No. 17980 of 2013 has not been complied with this



application has been filed.

In the writ petition, the grievance of the petitioner was that for the period from 30.06.2009 to 24.02.2010 and thereafter from October, 2012 till the filing of the writ petition salary to the petitioner has not been paid. The matter was considered and it was found that after transfer of the petitioner from PMCH, there is a dispute as to whether the petitioner has actually discharged duties in PMCH and, therefore, this Court without going into the dispute in question passed an innocuous order directing the Director-in-Chief of Health Services to look into the question of actual working of the petitioner during the period in question in PMCH and decide the issue with regard to payment of salary after compliance of the order of transfer.

Now, from the show cause from the respondents it is seen that an order has been passed by the authority concerned and in pursuance of the said order a sum of Rs. 71,466/- and further sum of Rs.99,802/- as salary for various periods have been paid to the petitioner.

In view of the compliance reported by the respondents, no further indulgence is called for. In case the petitioner is not satisfied with the manner in which the salary has been determined and paid, it gives to the petitioner fresh cause of action in accordance with law. But now in the light of the compliance report of the respondents no



further action is required to be taken in the matter.

The application stands disposed of with the aforesaid liberty to the petitioner.

(Rajendra Menon, CJ)

mrL/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	08.01.2018
Transmission Date	

