

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9980 of 2014

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Dr. Nawal Kishore Singh S/o Sri Ram Lal Prasad Singh at present Medical Officer (waiting for posting), resident of Mohalla Benta, Lehariasarai, District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Department of Health and Family Welfare, Bihar, Patna.
2. Principal Secretary, Health Services, Bihar, Patna.
3. Joint Secretary, Health Services, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Respondent/s : Mr. Gp7- Dhurjati Kumar Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 17-01-2018 Heard Mr. Yogendra Mishra, learned counsel appearing on behalf of the petitioner and learned G.P.-14 on behalf of the respondents.

During the pendency of this writ petition, the final order has already been passed on 02.01.2018 as contained Annexure 'A' to the show cause treating the petitioner absence with effect from 10.07.1993 to 11.07.1999 as extraordinary leave (without salary) and the petitioner is entitled to get pension.

Mr. Yogendra Mishra appearing on behalf of the petitioner has submitted that the Inquiry Officer did not hold the petitioner guilty but the disciplinary authority treated the absence of the petitioner as extraordinary leave without salary. The



disciplinary authority did not give any reason to the findings of the Inquiry officer but since the final order has already been passed on the basis of the departmental enquiry report, the petition is disposed of with liberty to the petitioner to file a fresh writ petition against the order dated 2.1.2018 as contained in Annexure 'A'.

Accordingly, this writ petition is disposed of with the aforesaid direction.

(Prabhat Kumar Jha, J)

Sanjeev/-

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