

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20713 of 2010

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Dr.Sushant Das Gupta S/O Late Bhagwat Das Gupta R/O Adampur Red Cross,
P.S.- Adampur, Distt.- Bhagalpur, At Present Posted As Medical Officer(Family
Welfare) Primary Health Centre Mokama, Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Health Services, Deptt. Of Health, Govt. Of Bihar, Patna
3. The Director In Chief, Health Services Bihar, Patna
4. The Deputy Director Health Services Gouvernement Of Bihar, Patna
5. The Civil Surgeon Cum Chief Medical Officer, Patna
6. The Ic-Charge Medical Officer, Referral Hospital Mokama/Primary Health Centre, Mokama, Patna
7. Dr. Pranab Kumar, Retired Civil Surgeon Cum Chief Medical Officer, Patna R/O Gauri Shankar Compartment, Phase No.-2, Flat No.- 104, Nalanda Nagar, Kurzi Near Loyala School, Kurzi, Patna-10
8. Dr. Nand Kishore Singh, Ex-Medical Officer Incharge, Primary Health Centre, Mokama, Patna Now Posted As Medical Officer, Referral Hospital, Mokama, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Respondent/s : Mr. Neeraj Nandan GP18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date: 30-07-2018

1. The petitioner has prayed for quashing of the letter contained in Memo dated 29.07.2008, whereby and whereunder the application of the petitioner for grant of casual leave/ compensatory leave for the period, he has remained absent, has been rejected.
2. The learned counsel for the petitioner has submitted that the Civil Surgeon-cum-Chief Medical Officer, Patna has rejected the case of the petitioner without considering the various circulars and



rules in this regard.

3. *Per contra*, the learned counsel for the respondents has submitted that since the petitioner has left for undergoing the P.G.D.M.S. course without taking appropriate leave from the department, no relief can be granted to the petitioner.

4. In view of the submissions made by the learned counsel for the petitioner that the relevant rules and circulars have not been considered, I deem it fit and appropriate to direct the petitioner to approach the Director-in-Chief, Health Services, Bihar, Patna by filing a representation against the aforesaid order of the Civil Surgeon dated 29.07.2008 and in case, such representation is filed within a period of four weeks from today, the respondent no. 3 shall dispose of the same within a period of four weeks thereafter.

5. The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.08.2018
Transmission Date	NA

