

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1621 of 2015

=====

Dr. Rajendra Prasad Khetan S/o Lakhi Prasad Khetan Incharge Insurance Medical Officer, Employees State Insurance Hospital, Jamal Road, P.S.- Kotwali, District-Patna

.... **Petitioner**

Versus

1. The State of Bihar through the Principal Chief Secretary, Patna
 2. The Principal Secretary, Health, Bihar at Patna
 3. The Addl. Director-cum-Joint Secretary, Health, Bihar at Patna
 4. The Principal Secretary, Finance, Government of Bihar, Patna
 5. The Accountant General, Bihar at Patna
- **Respondents**
- =====

Appearance :

For the Petitioner : Mr. Amarendra Nath Verma, Advocate

For the Respondents : Mr. Ram Shankar Prasad, AC to GP 14

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 25-07-2018

MJC No. 1757 of 2018 has been allowed today for restoration of this case to its original file.

2. Since the parties are appearing and the prayer made on behalf of the petitioner is limited, with consent of the parties, the writ petition is also taken up for disposal as even otherwise subject of the matter is currently assigned to this Bench.

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

4. Learned counsel appearing for the petitioner submits that even though admittedly he was absent on account of authorized leave on 1.1.2006 his case is covered under Note-2 below in the Finance Department Resolution dated 21.1.2010 regarding revision of pay scale on 1.1.2006. He submits that he has made his



representation before the Joint Secretary, Health Department raising his claim for being provided the benefits in view of exception carved out for in Note-2 of the Finance Department Resolution dated 21.1.2010 in view the fact that others junior to him were allowed the benefits of the higher pay scale.

5. In view of such submissions, this Court does not consider it appropriate to keep the writ petition pending. The Additional Director-cum-Joint Secretary, Health, Bihar, Patna (Respondent no.3) before whom representation is pending should take final decision in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

6. The writ petition is disposed of with the aforesaid directions.

(Madhuresh Prasad, J)

Shashi.

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

