

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3393 of 2015

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Faiyaz Hassan Faizi. Son of Late M.M. Tayyab. Resident of Shah Colony,
Dilawarpur, Distt.- Munger

.... **Petitioner**

Versus

1. The State of Bihar through Director, Desi Chikitsa Nirdeshyala, Department of Health, Bihar, Patna.
2. Principal Secretary, Health Department Bihar.
3. The Principal, Government Tibbiya College, Patna.
4. The Joint Director, Desi Chikitsa Nirdeshyala, Bihar, Patna.
5. The Deputy Secretary, Desi Chikitsa Nirdeshyala, Bihar, Patna.
6. The Director, Desi Chikitsa Nirdeshyala, Bihar, Patna.
7. The Addl. Secretary, Health Department, Bihar, Patna.
8. The Principal, R.B.T.S. Govt. Homeo Medical College, Muzaffarpur
9. Dr. Zahid Iqbal son of Md. Shahabuddin, Reader, Government Tibbia College, Kadamkuan, Patna
10. Dr. Mahfuzzur Rahman son of Shafier Rahman, Reader, Government Tibbia College, Kadamkuan, Patna

.... **Respondents**

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Appearance :

For the Petitioner : Mr. Sanjay Sinha, Advocate and
Mr. Sanjesh Prasad, Advocate

For the State : Mr. Ramadhar Singh, GP 25

For respondent no.9 : Mr.Md.Fazal Rahman, Advocate

For respondent no.10 : Mr. Arif Raza, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 06-08-2018

Heard learned counsel for the petitioner, the State
and the private respondents.

2. Learned counsel for the petitioner submits that
though he was selected for appointment on contractual basis to the
post of Reader, but till today his appointment has not been done.

3. Respondents have filed counter affidavit in the
matter. It is their stand that in view of certain complaints received
the department has constituted an enquiry committee to look into



the irregularities committed by the Principals in the selection undertaken by them for appointment. Till today the enquiry has not been completed and only thereafter any further decision can be taken in light of the report of the enquiry committee.

4. Without expressing any opinion on the validity of the claim of the petitioner or the private respondents, this Court only observes that keeping the writ petition pending will not serve any purpose. This Court would direct respondent no.2 the Principal Secretary, Health Department, Bihar to ensure that the matter is taken to its logical conclusion and final decision is taken in the enquiry constituted under order dated 15.7.2015 of the Under Secretary, Health Department, Government of Bihar expeditiously and preferably within a period of four months from the date of receipt/production of a copy of this order.

5. The writ petition is disposed of.

(Madhuresh Prasad, J)

Shashi.

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	9.8.2018
Transmission Date	NA

