

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16778 of 2018

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Nand Kishore Prasad, Son of Late Rajendra Ram, Resident of Madanlal Jain Gali,
Chandmari Road, Azad Path, Kankarbagh, P.S. Kankarbagh, Patna-20, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Health Service, Patna Division, Patna.
2. Regional Deputy Director, Health Service, Patna Division, Patna.
3. Civil Surgeon Cum Chief Medical Officer, Bhojpur, Arrah.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Hriday Prasad

For the Respondent/s : Mr. Nagendra Pd.Yadav -SC23,
Mr. Vijeeya Laxmi Srivastava, Ac to SC 23

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 06-11-2018

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

In the present writ petitioner, the petitioner has raised a
grievance that he was Incharge Medical Officer of Primary
Health Centre, Bihia, Bhojpur but he has been replaced by one
Dr. Anil Kumar.

From the record it appears that Civil Surgeon has inspected
the said Primary Health Centre and found the petitioner to be
absent and also found that he does not discharge the function
with proper responsibility and on that account the petitioner has
been replaced by Dr. Anil Kumar.

Learned counsel for the petitioner submits that on that day



the petitioner was supervising the work of D. Worming and he had handed over the charge of the Primary Health Centre to another Doctor and when he received the information of visit of Civil Surgeon he reached there whereas the petitioner has been replaced on account of his absence and this information was received by the Collector, Bhojpur, Ara.

In such view of the matter, the Collector, Bhojpur, Ara is directed to call for the records of Primary Health Centre, Bihia and will give opportunity of hearing to the petitioner and after holding the inquiry he will transmit the report to the competent Authority who will pass an appropriate order.

As per petitioner, Regional Deputy Director, Health Service, Patna Division, Patna (respondent no.2) is the competent Authority, he is directed to examine the report submitted the Collector and will take decision in accordance with law.

Whole the process should be completed with five months from the date of receipt/production of a copy of this order.

With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.11.2018
Transmission Date	NA

