

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1359 of 2017

1. The State Of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna
2. The Director-in-Chief, Health Services, Bihar, Patna
3. Civil Surgeon cum Chief Medical Officer, Patna
4. Incharge Medical Officer, Primary Health Centre, Dhanarua, Patna

... .. Appellant/s

Versus

1. Surendra Prasad, son of late Rameshwar Prasad, Resident of Village-Saraiya, P.O. and P.S. Makhdumpur, District- Jehanabad
2. The District Treasury Officer, Patna
3. Sub-Treasury Officer, Masaurhi, Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Suryakant Kumar, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 10-01-2018 Delay in filing the appeal is condoned.

I.A. No. 7613 of 2017 stands allowed and disposed of.

Having heard learned counsel for the parties at length, we find that the direction for payment of arrears of salary on reinstatement is passed in view of the fact that the termination was set aside in CWJC No. 17145 of 2009 and the judgment setting aside the termination was passed on 19.10.2011 was that the employees' petitions are allowed. The petitioners were directed to be reinstated on the post and found entitled to all consequential benefits as of date.



We see no reason to make indulgence with regard to the issue pertaining to payment of arrears of salary to the respondent-employee. The appeal filed is without any merit. The same is therefore, dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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