

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15797 of 2017

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Dr. Md. Kazim, Son of late Md. Waheed, R/o Mohalla- Baraichak, Urdu Bazar Lane, P.S. Tatarpur, P.O.- Bhagalpur City and District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar, through its Principal Secretary, Health Department, Bihar, Patna.
2. The Director-in-Chief Health Department, Bihar, Patna.
3. Deputy Secretary, Health Department, Bihar, Patna.
4. Special Work Officer, Health Department, Bihar, Patna.
5. Incharge Medical Officer, Primary Health Centre, Sadar Block (Saharsa).
6. Civil Surgeon-Cum- Chief Medical Officer, Saharsa.
7. Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. N.A. Shamsi, Adv.

For the Respondent/s : Mr. Shailendra Kumar, AC to PAAG-2

For the Respondent-AG : Mr. Manish Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 30-05-2018

Heard Mr. N.A. Shamsi, learned counsel appearing for the petitioner, Mr. Shailendra Kumar, learned Assisting Counsel to PAAG-2 for the State and learned counsel for the Accountant General.

It is the argument of Mr. Shamsi, learned counsel appearing for the petitioner that the petitioner has superannuated from the post of Medical Officer with effect from 28.02.2015 and though he is being paid 90% of pension but 10% of his balance pension, the entire gratuity together with the leave encashment is yet pending for payment.



The writ petition is pending since 02.11.2017 and no counter affidavit has been filed as yet.

In the nature of the grievance raised and since according to Mr. Shamsi no proceeding was initiated against the petitioner either during the service period or after his superannuation, I deem it proper to direct the Director-in-Chief, Health Services i.e. respondent no. 2 to consider the grievance of the petitioner and dispose of the same in accordance with law within a period of six weeks from the date of receipt/production of a copy of this judgment. It goes without saying that the amounts to which the petitioner is found entitled should be paid to him within the said period or disposed of by a speaking order.

The writ petition is allowed with the direction aforementioned.

(Jyoti Saran, J)

SKPathak/Ragini

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.06.2018
Transmission Date	NA

