

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 6575 of 2015

=====

Binod Prasad, S/o Sri Ram Jatan Prasad, Resident of Mohalla New Colony
Chhotki Delha, P.S. Delha, District Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Health, Bihar, Patna
2. The Director-in-Chief, Health Services, New Secretariat, Bihar, Patna.
3. The Regional Deputy Director, Health Services, Bihar, Patna.
4. The Civil Surgeon -cum- Chief Medical Officer, Nalanda at Bihar Sharif.
5. Incharge Medical Officer, Primary Health Center, Bain, Nalanda.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr Akhilesh Dutta Verma, Advocate
For the Respondent/s : Mr Mrigendra Kumar, AC to GA IV

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 **02-04-2019** Learned counsel submits that ignoring the petitioner's position in the seniority list for 2016-2017, certain persons have been promoted to Grade III by order dated 25.03.2017 issued by the Civil Surgeon -cum- Chief Medical Officer, Nalanda. The said persons have not been arrayed as parties in the writ proceedings against whom the petitioner is claiming seniority. Apart from that, this Court would observe that petitioner has not approached the Authority with his grievance. By filing a supplementary affidavit, said issue has been raised directly in the instant proceedings.

In view of the aforesaid circumstance, this Court



would observe that there is no occasion for this Court to presume that if the said discrimination is brought to the notice of the respondent-Civil Surgeon -cum- Chief Medical Officer, Nalanda and if the same is found correct, the petitioner's claim would not be entertained by the Authority.

Petitioner should approach the Civil Surgeon -cum- Chief Medical Officer, Nalanda (respondent No 4) with his grievance by filing a comprehensive representation.

It is needless to say that the representation of the petitioner will be considered by the respondent-Civil Surgeon -cum- Chief Medical Officer in accordance with law by a reasoned and speaking order and after hearing the parties concerned.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

M.E.H./-

U			
---	--	--	--

