

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7042 of 2015

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Shashi Prabha Sinha Wife of Abhay Kumar Mahto resident of village -
Manikpur, P.O. Kawadpur, P.S. Suryagarha, District - Lakhisarai

... .. Petitioner/s

Versus

1. The State Of Bihar
 2. The Secretary Department of Health, Government of Bihar, Patna
 3. The Secretary, State Health Society, Bihar, Patna
 4. The Civil Surgeon - Cum - Member Secretary, District Health Society, Patna
- Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar
For the Respondent/s : Mr. Manoj Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 16-04-2019

Counsel for the petitioner is permitted to implead Bihar
State Health Society, Patna through its Executive Director as
respondent no. 5 to the writ petition.

Claim in the writ petition is for payment of Honorarium
for the services claimed to have been rendered by the petitioner as
Staff Nurse Grade 'A' for the period 15.1.2014 to 2.1.2015. It is
asserted that services were contractual.

State authority has filed counter affidavit. It is their
specific case that there was no sanction post for contractual
appointment. Having regard to the claim for payment of
Honorarium, authorities have sought guidelines from the newly
added respondent no.5. Till date neither the State nor the petitioner
has informed the court whether Bihar State Health Society, Patna,



newly added respondent no. 5, has issued any guidelines to meet the said claim.

Since decision ultimately has to be taken by respondent no.5 as regards payment of honorarium having regard to actual number of days on which services have been rendered by the petitioner, writ petition is disposed off with direction to newly added respondent no.5 to take final decision as per communication dated 29.7.2015 and other communications referred to in annexure B to the counter affidavit filed by the State which have been submitted by Bihar State Health Society, Patna. In order to facilitate decision by the Bihar State Health Society, Patna petitioner would submit detail of her claim before respondent no. 5 annexing copy of the communications of Bihar State Health Society, Patna which are relied upon by the petitioner within four weeks from today. Let final decision be taken by respondent no. 5 within three months from the date of submission of such claim along with copy of this order.

Writ petition stands disposed off.

(Madhuresh Prasad, J)

s.hassan/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.4.2019
Transmission Date	

