

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5080 of 2019

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Sabita Kumari, W/o Kaushal Kishore Mishra Vill.- Dhaneshpur, Maw Uttar,
P.s.- Vidyapati Nagar, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Bihar, Patna
2. The Director in Chief (Administration) Health Services, Bihar, Patna
3. The Regional Additional Director Health Services, Darbhanga Division, Darbhanga
4. The District Magistrate Samastipur
5. The Civil Surgeon cum Chief Medical Officer Samastipur
6. The In-Charge Medical Officer Primary Health Centre, Mohiuddinagar, Samastipur
7. The In-charge Medical Officer Primary Health Centre, Sindhiya, Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Arvind Kumar Sinha, Advocate
For the Respondents	:	Mr. Birju Prasad (GP-13)
		Mr. Ravi Kumar, AC to GP 13
		Mr. Anmol Kumar, JC to GP 13
		Mr. Ajit Anand, JC to GP 13
		Mr. Amresh, AC to GP 13.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 01-04-2019

Heard the learned counsel for the petitioner and the State.

2. The petitioner who is serving the Health Department as an ANM was transferred from Primary Health Centre, Mohiuddinagar to Primary Health Centre, Singhiya in the district of Samastipur. She has not been paid salary ever since her posting in the Primary Health Centre, Singhiya because of the non-availability of the last pay certificate with correction and her service book.



3. Learned counsel for the petitioner has drawn the attention of this Court to a communication made by the in-charge Medical Officer, Primary Health Centre, Singhiya with in-charge Medical Officer, Primary Health Centre, Mohiduddinagar for sending the last pay certificate and the service book of the petitioner so that salary could be paid to her.

4. Mr. Birju Prasad, learned GP-13 submits that for some period after the transfer order was issued, the petitioner did not work.

5. This is not the issue involved in the present writ petition. The salary of the petitioner for the period that she has worked has not been paid, as the aforesaid two documents are still not available with the in-charge, Medical Officer, Singhiya. The same ought to have been sent by now after the communication between the concerned in-charge Medical Officers.

6. A representation also has been filed by the petitioner before the Chief Medical Officer-cum-Civil Surgeon, Samastipur for redressal of her grievances but then also, nothing concrete has happened.

7. Under the aforesaid circumstances, this Court directs the petitioner to make a fresh representation before the Chief Medical Officer-cum-Civil Surgeon, Samastipur, (respondent no. 5) detailing her grievances, within a period



of two weeks from today, who on receipt of such representation shall issue necessary orders in accordance with law directing for sending of the service book and corrected last pay certificate to the in-charge, Medical Officer, Singhiya so that payment of the salary to the petitioner could be made. The aforesaid order shall be passed within a period of four weeks of the receipt of the aforesaid representation.

8. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.04.2019
Transmission Date	

