

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14160 of 2014

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Brajendra Prasad Yadav son of Late Anirudh Prasad Yadav, clerk. Primary Health Center, Gwalpara District Madhepura

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Respondent/s : Mr.Manoj Kr. Sinha, AC to GA 9

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-08-2019 Counsel for the petitioner is permitted to correct description of respondent no.3 in cause title of the writ petition in course of the day.

Heard counsel for the petitioner and counsel for the respondents-State.

It is submitted by counsel for the petitioner that appeal of the petitioner against the order dated 13.12.2013 issued by Civil Surgeon-cum- Chief Medical Officer, Madhepura is pending consideration before the appellate authority.

Order of punishment is subject to decision of the appellate authority. In the meantime, criminal proceeding arising out of Madhepura P.S. case no. 553/2013 has culminated in favour of the petitioner. Final form finding case to be false has



been submitted and accepted by the criminal court.

In view of said development, petitioner's entitlement to salary etc, which was made subject to Madhepura P.S. case no. 553/2013, now stands due to the petitioner.

It is submitted that this development took place during the pendency of instant proceedings.

Counsel for the petitioner submits that the petitioner would place this fact before the appellate authority.

If the petitioner supplements this fact before the appellate authority (Respondent no.3) within four weeks, this court would only observe that the appeal, if not disposed of, shall be disposed of by reasoned and speaking order in accordance with law taking cognizance of this development during pendency of the instant proceedings positively within eight weeks thereafter.

With the liberty to the petitioner as aforesaid, and with aforesaid direction, writ petition stands disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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