

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13469 of 2015

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Smt. Kunti Kumari daughter of Late Bishundeo Mandal, wife of Rajesh Kumar Mahto, Resident of village- Shiv Nagar, Police Station- Peeri Bazar, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Health, Govt. of Bihar, Patna.
3. The Director-in-Chief, Department of Health, Govt. of Bihar, Patna.
4. The Civil Surgeon, Munger.
5. The State of Jharkhand through the Chief Secretary, Govt. of Jharkhand, Ranchi.
6. The Director-in-Chief (Health), Govt. of Jharkhand, Ranchi.
7. The Civil Surgeon, Godda, Jharkhand.
8. The Civil Surgeon, Sahebganj, Jharkhand.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar
For the Respondent/s : Mr.P.N. Shahi- AAG10

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-05-2019 Matter has been listed today in the summer vacations as learned counsel for the petitioner was desirous for consideration of his case during vacation.

The slip for listing was filed pursuant to notice dated 08th May, 2019, published prior to the vacation.

The matter is, accordingly, taken up for consideration as both parties are present and willing to assist the court for disposal of the matter.

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

Writ petition has been filed since Last Pay Certificate



(LPC) was issued by State of Jharkhand on 09.09.2015 whereas petitioner upon his cadre allocation in the State of Bihar had joined prior thereto i.e in 2012 itself. Petitioner is aggrieved by deprivation of salary for the period in the meantime.

Specific stand has been taken by Civil Surgeon, Munger in the counter affidavit that by the office letter no.1900 dated 15.10.2015, he has directed to the In-charge Deputy Superintendent, Tarapur to pay salary to the petitioner from the date of his joining. Communication is Annexure C to the counter affidavit.

In view of said communication after filing of this writ petition, it appears that grievance of the petitioner does not survive any more. Petitioner has also not denied or disputed the position by filing any reply/ rejoinder to the counter affidavit filed by the State and keeping writ petition pending will serve no useful purpose.

Counsel for the petitioner, however, submits that if there is any dispute on account of actual payment pursuant to Annexure C dated 15.10.2015, he may be granted liberty to raise the issue before the appropriate authority.

With the liberty as aforesaid, writ petition stands disposed off.

(Madhuresh Prasad, J)

s.hassan/-

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