

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12571 of 2011

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HARI SHANKAR PRASAD Late Ram Surat Rai Resident Of Village
Dharmuha,Po-Jibdhara Ps-Motihari,District-East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR and ORS
2. The Director In Chief Director Health Service Bihar,Patna.
3. The Regional Deputy Director Health Department Tirhut Pramandal
Muzaffarpur
4. The District Magistrate East Champaran Motihari.
5. The Civil Surgeon Cum Chief Medical Officer East Champran Motihari.
6. The District Malaria Officer East Champaran Motihari
7. The Prabhari Medical Officer Paharpur Primary Health Centre East
Champaran Motihari
8. The Treasury Officer East Champaran Motihari
9. Sri Sunil Kumar Sri Ram Bilas Rai Resident Of Village-Semraha Via Teraria
Factory District-East Champaran Motihari

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ravindra Nath Dubey Mrs. Punam Kumari
For the State	:	Mr.Anjani Kumar, AAG 4 Mr. Sanjay Prasad, AC to AAG 4

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

7 29-07-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Counsel for the petitioner submits that in spite of his
appointment as one time measure by way of regularization done
by Annexure 3 i.e. order dated 08.07.2008 of the District
Committee, petitioner is not being paid his wages/ salary. He
submits that claim of other similarly situated persons on the



basis of same decision dated 08.07.2008 has been disposed of by this court with liberty to approach the Civil Surgeon-cum-Chief Medical Officer for a decision with regard to payment for regular service in light of their regularization.

He submits that the Civil Surgeon-cum- Chief Medical Officer has thereafter allowed others who were regularized by the same order, payment of their salary. He submits that he would approach the respondent the Civil Surgeon-cum- Chief Medical Officer, East Champaran, Motihari seeking parity in the matter and having regard to the relief granted to others similarly situated as the petitioner who were regularized by the same order dated 08.07.2008.

In view of the aforesaid submissions and since claim of the petitioner has now to be considered by the authority in light of decision of this court in CWJC no. 861/2012, Civil Review no. 133/2014 and LPA no. 1827/2015, matter is disposed of with liberty to the petitioner to approach the Civil Surgeon-cum- Chief Medical Officer, East Champaran, Motihari (respondent no.5) for parity/ if respondent-authorities find the petitioner at par with petitioner of CWJC no. 861/2012, they should extend the same benefit which are extended to other persons whose claim has been allowed pursuant to remand by



the writ court.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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