

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14528 of 2011

DR.BASANT KUMAR SINHA S/O Late Ramdahin Singh R/O House No. 505, Ujala House, Khajpura Nalanda Colony, P.S. Shastrinagar, Distt. Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR and ORS
2. The Principal Secretary Health And Medical Education, Govt. Of Bihar, Patna.
3. Director In-Chief Department Of Health Services, Govt. Of Bihar, Patna.
4. Principal, Sri Krishna Medical College and Hospital, Muzaffarpur.
5. Accountant General, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Chitranjan Sinha Mr. Umeshwar Prasad Singh
For the State	:	Mr. Ravi Ranjan, AC to SC 22
For the AG	:	Mr. Prabhat Ranjan

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

14 26-08-2019 Counsel for the petitioner is permitted to correct the description of respondent no.2 to the writ petition in course of the day.

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

Counsel for the petitioner submits that while working as Assistant Professor Surgery, petitioner was allowed voluntary retirement with effect from 11.06.1996. Petitioner at that time was admittedly in the pay scale of Rs.4,100 to 5,300/-. Petitioner as per notification dated 11.06.1998 has been placed in super time scale of Rs.4,100 to 5,300/-.



Counsel for the petitioner submits that as of now, petitioner seeks replacement scale for the said pay scale by virtue of being recommendation made by Fitmen committee with effect from 01.01.1996. This claim of the petitioner has yet to be considered by the authorities.

In view of such situation, this court is not required to adjudicate any claim of the petitioner. Petitioner's limited prayer is for providing replacement scale for the scale which has admittedly been granted to the petitioner with effect from 01.04.1995.

Petitioner therefore, should submit detailed representation within four weeks. In the event such application is submitted, respondent no.2 (Principal Secretary, Health and Medical Education, Government of Bihar, Patna) shall consider the same and dispose it of by a reasoned and speaking order in accordance with law. Financial dues found admissible should also be paid to the petitioner within the period of three months thereafter.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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