

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1466 of 2012

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DR.MD.KHALIL ANSARI Son Of Abdul Latif Ansari Resident Of Village -
Dhangarha, P.S.- Baniyapur, District - Saran, At Present Deputy Director
Unani Suspended Deshi Chikitsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department Of Health, Government Of Bihar, Patna
3. The Joint Secretary-Cum-Director, Indigenous System Of Medicine J. C.
M., Government Of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vivek Anand Amritesh
For the State	:	Mr.Manoj Kumar, AC to GP 4
For the BPSC	:	Mr. Ranjit Sinha

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 21-10-2019 Heard counsel for the petitioner and counsel for the
respondents.

Petitioner had worked as Deputy Director, Unani
Medicine in between 08.10.1991 to 07.01.2004 whereby he was
subsequently promoted to the said post.

For the period of officiation, it is submitted by
counsel for the petitioner that he was otherwise qualified to hold
higher post and he had actually performed the duties of the post
thereof for a considerable long period of more than 12 years.

In the circumstance, it is submitted that claim of the
petitioner was to be considered by the authority for grant of
salary for the post of Deputy Director based on provision



contained in Rule 58 read with 103 of the Bihar Service Code Rules.

Counsel for the petitioner submits that in this regard he has submitted representations which are contained in the writ petition as Annexure 11 series.

Counsel for the petitioner further submits that he would be supplementing said representations before the authority by relying upon pronouncement of this court in this regard in support of his claim.

If such supplement is filed within four weeks, respondent-authorities would be obliged to consider the same as per entitlement in accordance with law within a period of three months thereafter.

Writ petition is disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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