

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 15047 of 2016

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1. Vijay Kumar, S/o Late Sarayoo Prasad, R/o Village+PO+PS - Wena, Via Harnaut, District- Nalanda, presently posted as Physiotherapist at District-Leprosy Office, Motihari, East Champaran.
 2. Madan Mohan Duwedi, S/o Late Lal Bihari Duwedi, R/o Mohalla- Nawada, Near Nawada Police Station, P.S.- Nawada, District- Ara, Bhojpur, presently posted as Physiotherapist, Sadar Hospital, Ara, Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Director-in-Chief, Health Services, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	M/s R K Chandram, Rajiv Prashant, Advocates
For the Respondent/s	:	Mr Chitranjan Sinha, PAAG II
		Mr Shailendra Kumar, AC to PAAG II

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

7 17-10-2019 Heard learned counsel for the petitioners and the respondent-State.

Learned counsel for the petitioners submits that the petitioners, who are Diploma Holders, have been discriminated against by the Notification dated 03.05.2017 brought out by the Finance Department whereby the benefit of age enhancement has been limited to those Physiotherapists and Occupational Physiotherapists who have Degree and, therefore, the petitioners are aggrieved. It is submitted that on 14.07.2010, the



Government itself, in the Health Department, had brought out a Notification bearing Memo No 605 wherein the Diploma in Homeopathic Medicine and Surgery was considered to be qualification of Degree.

Whether the petitioners can derive any sustenance from the parity given to Homeopathic doctors, being Physiotherapist and Occupational Physiotherapist, is an issue which the petitioners' counsel proposes to agitate before the respondent-Authorities.

Without expressing any opinion on the merits of the submission, writ petition is disposed of with liberty to the petitioners to approach the Authorities.

(Madhuresh Prasad, J)

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