

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2663 of 2017

Arising out of

Civil Writ Jurisdiction Case No.8069 of 2006

=====

Ratnesh Kumar Choudhary Son of Sri Sundeshwar Prasad Choudhary,
Resident of A/325, A.G. Colony, North of I.G.I.M.S., P.S. Shastri Nagar,
District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Govt. Of Bihar, Patna,
Namely Sri Anjani Kumar Singh
2. The Principal Secretary, Department of Health, Government of Bihar, Patna
namely Sri R.K. Mahajan.
3. Board of Directors, Indira Gandhi Institute of Medical Science, Sheikhpura,
Patna through its Director, Namely N.R. Bishwas
4. Indira Gandhi Institute of Medical Science, Sheikhpura, Patna through its
Director, Namely N.R. Bishwas.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vipin Kumar, Advocate
For the State : Mr. Anil Kumar Verma, AC to AAG 9
For the IGIMS : Mr. Sunil Kumar Singh, Advocate

=====

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 26-09-2019

Heard learned counsel for the petitioner; learned AC to
AAG 9 for the State and Mr. Sunil Kumar Singh, learned counsel



for the Indira Gandhi Institute of Medical Sciences (hereinafter referred to as the 'Institute').

2. From the pleadings and materials on record, it transpires that the order dated 04.11.02009 passed in CWJC No. 8069 of 2009 read with order of the Hon'ble Supreme Court dated 15.10.2015 passed in Civil Appeal No. 8662 of 2015, has been complied with.

3. However, learned counsel for the petitioner expressed his apprehension that upon reinstatement, even the normal benefits, barring 50 per cent of his salary for the period the petitioner was out of service, have not been paid.

4. On this, learned counsel for the Institute took a categorical stand that whatever is due to the petitioner on the basis of his reinstatement in service, by which it shall be deemed that he is back in service without there being any break, the same, as and when due, in accordance with law, has been paid and in future shall also be paid.

5. Having regard to the aforesaid, the application stands disposed off with liberty to the petitioner to make a detailed representation before the Director of the Institute with regard to any grievance he may have regarding discrimination in his service conditions after reinstatement.



6. If the same is filed within four weeks from today, the Director of the Institute shall get the matter verified and pass a reasoned order within four weeks from the date of filing of such representation.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	
U	

