

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.218 of 2018

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Dr. Hem Kant Choudhary Son of Late Jagarnath Choudhary resident of
Village - Nehra, P.S. Manigachhi, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Additional Secretary, Department of Health, Government of Bihar, Patna.
4. The Joint Secretary, Department of Health, Government of Bihar, Patna.
5. The Under Secretary, Department of Health, Government of Bihar, Patna.
6. The Director-in-chief, Health Services, Bihar, Patna.
7. The Officer on Special Duty, Health Department, Bihar.
8. The Civil Surgeon, Samastipur.
9. The Treasury Officer, Darbhanga.
10. The Accountant General, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr.Ramadhar Singh-Gp25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 22-07-2019 The learned counsel for the respondents, referring to the counter affidavit filed on behalf of the respondent nos. 1 to 6, has submitted that the full pension and gratuity amount has already been sanctioned vide letter dated 10.7.2019 issued by the Health Department, Government of Bihar, Patna and sanction order for final withdrawal of the G.P.F. amount has also been issued.

In view of the statement made by the respondent nos.



1 to 6, the Treasury Officer, Darbhanga is directed to ensure payment of the aforesaid amounts, if not already paid, within a period of four weeks from today, failing which he shall not draw his salary. As far as the amount of the leave encashment is concerned, payment of the same has been kept in abeyance on account of pendency of the audit report for the financial year 2001-02, 2005-06 and 2012-13, however, it is submitted that the department has issued letters for resolving the said issue.

In view of the aforesaid stand of the respondents as regards the amount of leave encashment, I direct the Director-in-Chief, Health Services, Bihar Patna to pass a final order with regard to the entitlement of the petitioner qua the said claim under the head leave encashment, within a period of four weeks from today, failing which he shall not draw his salary.

The writ petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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