

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14977 of 2019

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Muktinath Prasad, aged about 62 years, male, S/o Late Ram Swaroop Ray,
R/o Village-Kathariya, P.S. Kalyanpur, District-East Champaran.

... .. 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 Finance, Government of Bihar, Patna.
3. The Director in Chief, Health Services (Administration), Bihar, Patna.
4. The Civil Surgeon cum Chief Medical Officer, Muzaffarpur.
5. The Incharge Medical Officer, Primary Health Centre, Kanti, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiv Kumar, Adv.

For the Respondent/s : Mr. Shailendra Kumar, AC to PAAG-2

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 30-07-2019

The petitioner seeks a direction to the respondent authorities to make available to him the benefits of 1st, 2nd and 3rd A.C.P./M.A.C.P. from the date from which he is entitled.

2. It has been submitted on behalf of the petitioner that he was appointed as a Basic Health Worker



some times in the year 1983. His services were also confirmed in the same year. In the year 1993, *i.e.*, after 10 years of his appointment, he was given 1st time bound promotion. It has further been submitted that the petitioner had been terminated from service in the year 2003, but such termination order was quashed by a Bench of this Court and he was reinstated in service. The respondent authorities had accepted the joining of the petitioner, but the petitioner has not been paid the benefits to which he is entitled.

3. The repeated representations of the petitioner before the concerned authorities have gone unheeded.

4. Under the aforesaid circumstances, the petitioner is directed to make a fresh representation before the Civil Surgeon-Cum-Chief Medical Officer, Muzaffarpur (respondent No. 4), detailing all facts, within a period of four weeks from today, who, on receipt of such representation, after verifying the facts and ascertaining the entitlement of the petitioner, shall pass a reasoned order in accordance with law within a further period of eight weeks thereafter.

5. Needless to state that if the claim of the



petitioner is found to be tenable, necessary sequel order also be passed/caused to be passed by the concerned respondent within the aforesaid period.

6. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	31.07.2019
Transmission Date	N/A

