

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9119 of 2012

Monawwar Alam, Son of Md. Moniruddin, resident of near Chandshah
Mazzar Mohalla-Katra, Biharshariff, Dist.-Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director In-Chief, Health Department, Bihar, Patna
3. The Secretary, Health Department, Patna
4. The Executive Director, Sate Health Society, Bihar Parivar Kalyan Bhawan, Patna
5. The District Magistrate, Cum-Chairamn, District Health Society, Nalanda
6. The Civil Surgeon Cum-Secretary District Health Society, Nalanda
7. Medical Officer, In-Charge, Primary Health Centre, Rajgir, District-Nalanda
8. Medical Officer, In-Charge, Primary Health Centre, Asthanwan, District-Nalanda

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar @ Deo, Advocate
		Mr. Indu Shekhar Dwivedi, Advocate
For the State	:	Mr. AC to AAG-15
For the State Health Society	:	Mr. K.K. Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 28-02-2019

Heard learned counsel for the petitioner, learned counsel
for the State and learned counsel for the State Health Society.

The petitioner was appointed as Health Manager in the District Health Society posted at newly established Primary Health Centre, Bain, Nalanda for two years, but again the period was extended for three years vide letter dated 29.07.2009 (Annexure-3). In the meantime, a criminal case was lodged against the petitioner and ultimately, he has been acquitted and he is claiming that he should be reinstated in service.



Learned counsel for the State Health Society submits that the period of the appointment of the petitioner is over in the year 2012 itself and, as such, now he cannot claim his reinstatement.

As the period of the appointment was three years and that period has already been completed in 2012 and in 2019, no positive direction can be given for his reinstatement to the post of Health Manager.

In such view of the matter, this Court does not find any merit in this writ application and, accordingly, the same is dismissed.

However, the petitioner will be at liberty to file a representation before the concerned District Health Society for any outstanding dues. In that case, the concerned District Health Society will examine the case of the petitioner and if it is found any dues is standing, then the same will be paid to the petitioner without any delay within a period of three months from the date of receipt/production of a copy of this order.

(Shivaji Pandey, J)

V.K.Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	08.03.2019
Transmission Date	N.A.

