

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14275 of 2019

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Vijay Kumar Son of Late Bhawani Prasad Sinha Resident of Arogya Dham,
North of Arms School, near Old Post Office, Ashiyana Nagar, Phase I,
Ashiyana Digha Road, P.S. Rajeev Nagar, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health and Medical Education, Government of Bihar, Patna.
2. The Special Secretary, Department of Health and Medical Education, Government of Bihar, Patna.
3. The Principal, Patna Medical College and Hospital, Patna.
4. The Head of Department, Department of Orthopedics, Patna Medical College and Hospital, Patna.
5. The Aryabhatt Knowledge University, Patna through the Vice Chancellor.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhat Ranjan, Advocate Mr. Chandan Kumar, Adv.
For the Respondent/s	:	Mr. Satish Kumar, AC to PAAG-2

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 30-08-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The issue with regard to Head of Department Orthopedics, Patna Medical College and Hospital Patna. This Court directed the Principal Secretary of the Health Department to take final decision in this regard on 30.07.2019. Yet, the Principal Secretary, Health Department has failed to file affidavit in terms of order dated 30.07.2019. On behalf of respondent no.3, the Principal of Patna Medical College and Hospital, Patna a counter affidavit has been filed enclosing letter



No. 4482 dated 06.08.2019 which manifest that the respondent no.6 is not willing to continue as Head of Department Orthopedics Patna Medical College and Hospital, Patna.

Under the aforesaid circumstance, the writ application is disposed of with a direction to the Principal of Patna Medical College to take appropriate decision as to posting of Head of the Department of Orthopedics, Patna Medical College and Hospital, Patna and communicate to the Principal Secretary, Health Department his decision on the issue of Head of Department of Orthopedics. The Court is constrained to take recourse to this mechanism as there is total failure on the part of the Principal Secretary, Health Department to respond to the direction issued by this Court.

Necessary decision in this regard must be taken by the respondent Principal, Patna Medical College and Hospital, Patna within a maximum period of one week from today.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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