

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15710 of 2019

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Bharat Bhushan Thakur, male, aged about 67 years, Son of Late Jaynandan Thakur, Resident of Village- Thakur Tola Harpur, Pusa, Police Station- Pusa, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Health Department, Govt. of Bihar, Patna.
2. The Executive Director, State Health Society Shekhpura, Patna.
3. The Regional Deputy Director, Health Division, Darbhanga.
4. The District Magistrate-Cum-Chairman, District Health Society, Samastipur.
5. The Civil Surgeon-Cum-Member Secretary, District Health Society, Samastipur.
6. The In-charge Medical Officer, Primary Health Centre, Pusa, Samastipur.

... .. Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Rajeshwar Singh (GA10)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 08-08-2019

Heard the counsel for the parties.

2. The petitioner, who is an M.B.B.S. Doctor, is



aggrieved by the letter dated 13.07.2019, contained in Memo No. 548, issued by the Civil Surgeon-Cum-Member Secretary, District Health Society, Samastipur, whereby the contract of the petitioner for one year to serve as Doctor has been terminated midway/midterm because of his having completed 67 years of age.

3. The learned counsel for the petitioner has submitted that the State Government, taking into account the severe shortage of Doctors with the Government, has taken a decision of extending the age of the services of such contractual Doctors to 70 years. In that event, in the absence of any complaint of poor service rendered by the petitioner, his term is required to be completed as per the agreement entered with him.

4. A representation in this regard has also been made by the petitioner before the Civil Surgeon-Cum-Member Secretary, District Health Society, Samastipur, but no decision has been taken on such representation till date.

5. Considering the fact that now the age of Doctors, whose services could be engaged on contract, has



been extended from 67 years to 70 years, the petitioner is directed to make a fresh representation before the Civil Surgeon-Cum-Member Secretary, District Health Society, Samastipur (respondent No. 5) to consider his case for further extension or allowing him to complete one full-year for which an agreement was entered into with him. If such a representation is filed within a period of two weeks from today, a decision on such representation shall be taken and communicated to the petitioner within a further period of four weeks thereafter.

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	13.08.2019
Transmission Date	N/A

