

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL REVIEW No.69 of 2015

In

Civil Writ Jurisdiction Case No.3856 of 2013

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Mukesh Kumar, S/o Late Shiv Dayal Yadav, R/o Village-Sadar Hospital, P.S.-
Tilkamanjhi, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Regional Deputy Director, Health Service, Bhagalpur.
3. The Superintendent, Jawaharlal Nehru Medical College and Hospital,
Bhagalpur.
4. The Chief Medical Officer-cum-Civil Surgeon, Bhagalpur.
5. The Civil Surgeon, Banka.
6. The Incharge Medical Officer, Health Sub- Centre, Kadma Rangra,
Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Sinha, Adv.
For the Opposite Party/s : Dr. Anshuman, SC-14

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 14-02-2020

The order dated 05.05.2014 is sought to be
reviewed.

2. It appears from going through the aforesaid
order dated 05.05.2014 that the petitioner was transferred



to Banka but he showed his reluctance in joining the office of the Civil Surgeon, Banka.

3. This Court *vide* order dated 05.05.2014, passed in C.W.J.C. No. 3856 of 2013, directed the Civil Surgeon, Banka to accept the joining of the petitioner forthwith, in case he appeared before him and in case he did not appear or report on duty, the Civil Surgeon, Banka was further directed to take appropriate disciplinary action against him for termination of his service. This Court also went on to explain that in case the petitioner refused to carry out the work of a Class-IV employee, then also he be proceeded against departmentally for any major punishment provided for the charge of dereliction of duty.

4. It appears that the petitioner has not yet reported for joining the service.

5. By the aforesaid review petition, the petitioner seeks an extension of time for him to give his joining before the Civil Surgeon, Banka.

6. This cannot be a ground for reviewing the order dated 05.05.2014.



7. The prayer for review is dismissed.

8. After this point being noted and the case being rejected, learned counsel for the petitioner in his wisdom has stated before this Court that the petitioner would have been well advised to file a modification application seeking an extension of time for reporting on duty.

9. This prayer is also not acceptable to the Court considering the fact that since 2014, the petitioner has not reported on duty and this review petition has been filed only in the year 2015.

10. Finding no merit, the petition is dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
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