

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7807 of 2020

Navnit Kumar, S/o Mahesh Prasad Ray, R/o-Vill.-Dhamoun, P.S.-Patori,
District-Samistipur, State-Bihar, Pin-844506.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumar Brijnandan, Advocate
For the Respondent/s : Mr. Vikash Kumar, SC-11

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 04-12-2020

The petitioner has prayed for the following relief(s) :-

“That this public interest litigation is being filed for the following relief(s):
(i) For issuance of an order (s)/ direction (s) or writ(s) in the nature of Mandamus directing the Respondent Nos. 1 and 2 i.e. State of Bihar to expeditiously fill up 8768 vacant sanctioned posts of Doctors out of total sanctioned strength of 11645 Doctors in the in Government Hospitals of Bihar regarding which specific direction was also given to the Chief Secretary, Government of Bihar vide order dated 28.05.2020 passed by this Hon'ble Court in LPA No.255 of 2020



titled Ankit Abhishek Vs Dr. Ravi Ranjan Kumar & Ors. Filling up of these vacancies are also imperative due to extreme shortage of Healthcare professionals including Doctors. And / or

(ii) Pass such other order / orders which may appear fit and proper in the facts and circumstances of the instant case.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondent(s) to consider and decide the representation which the petitioner shall be filing for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four weeks from the date of its filing along with a copy of this order.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in



accordance with law and with reasonable dispatch.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	08.12.2020
Transmission Date	

