

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 1132 of 2020

Radhamuni Kumari Wife of Ram Nanhak Thakur, Resident of Village-Dhangai, Police Station-Bikramganj, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar
2. The Director-in-Chief, Department of Health, Government of Bihar
3. The District Magistrate Rohtas Cum-President, District-Health Society, Rohtas.
4. The Chief Medical Officer, Rohtas, Sasaram.
5. The In-charge Medical Officer, Primary Health Centre, Bikramganj, Rohtas.
6. Regional Deputy Director, Health Services, Patna

... .. Respondent/s

For the Petitioner/s : M/s Prashant Kr, Animesh Kr, Dineshwar Pandey,
Advocates
For the Respondent/s : Mr Nagendra Prasad Yadav, SC XXIII

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-02-2020 Petitioner's counsel seeks permission to implead the Regional Deputy Director (Health Services), Patna as Respondent No 6.

Heard learned counsel for the petitioner and the respondent-State.

Learned counsel for the State submits that against the order of the Civil Surgeon -cum- Chief Medical Officer, Rohtas at Sasaram, impugned in the instant writ proceedings, the petitioner has remedy of appeal.

The complain of the petitioner is that at the time of the petitioner's initial joining as Auxiliary Nurse Midwife in 1988, the entire testimonials have been verified. The



Authorities, however, have terminated the petitioner's services and directed for instituting first information report against her for obtaining appointment fraudulently and by submitting forged certificates. It is the petitioner's complain that in view of their own verification done way back in the year, 1988, they were precluded from recording such findings in the proceedings.

In view of the rival submissions and since the petitioner has remedy of appeal, the writ petition is disposed of with liberty to the petitioner to approach the Appellate Authority.

If the petitioner approaches Respondent No 6 (Appellate Authority) within four weeks from today, he would be obliged to consider her appeal and dispose it of by reasoned and speaking order in accordance with law without raising the issue of delay.

The Appellate Authority should pass orders expeditiously and without any undue delay, preferably within three months from the date of filing the appeal.

(Madhuresh Prasad, J)

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