

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5498 of 2020

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Kailash Chaudhari Son of Prabhu Chaudhari, resident of Village and P.O.-
Akauna Bazar, P.S. Muffasil, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. The Director-in-Chief, Health Services, Health Department, Government of Bihar, Patna.
3. The Executive Director, State Health Society, Bihar, Patna.
4. The District Magistrate-cum-Chairman, District Health Society, Nawada.
5. The Civil Surgeon-cum-Member Secretary, District Health Society, Nawada.
6. The Incharge Medical Officer, Primary Health Centre, Govindpur, District-Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the Respondent/s	:	Mr. S.D. Yadav (AAG 9)
For Respondent No. 3	:	Mr. K.K. Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 07-12-2021

Heard learned counsel for the parties.

In the instant petition, petitioner has prayed for
following relief/reliefs:

“(i) For issuance of an appropriate writ in the nature of **CERTIORARI** for quashing the order dated 05.02.2020 passed by the Respondent no. 5 and contained in his memo no. 241 dated 05.02.2020 whereby and where under the Respondent no. 5 has been pleased to terminate the petitioner from the post of Block Accountant, Primary Health Centre, Govindpur as also cancel the contract of the petitioner on the ground that the impugned order of termination has been passed without asking any show-cause notice or opportunity of hearing to the petitioner.



- (ii) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent Authorities to reinstate the petitioner in service with full back wages and continuity in service as also to restore the contract of the petitioner.
- (iii) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”

During pendency of the present petition, petitioner’s grievance has been redressed by the Appellate Authority on 05.11.2020 in setting aside the order of termination dated 05.02.2020. In the light of the later development, the present petition do not survive for consideration.

Accordingly, petition stands disposed off reserving liberty to the petitioner to question the validity of the order dated 05.11.2020 of the Appellate Authority by which the petitioner has been denied the back-wages.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.12.2021
Transmission Date	NA

