

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6450 of 2020

Dr. Md. Zaheer @ Md. Zaheer Son of Shekh Mohammad Sayeed Resident of Station Road, Near Bazar Samiti, Banjariya, P.S.- Town Motihari, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Health Department, Government of Bihar.
2. The Additional Secretary Health Department, Government of Bihar, Patna.
3. The District Magistrate cum President District Health Committee, West Champaran at Bettiah, District- West Champaran.
4. The Civil Surgeon Cum Chief Medical Officer West Champaran at Bettiah.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Respondent/s : Mr. Rajeshwar Singh (GA 10)

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

Date : 17-12-2021

This matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 Pandemic.

Heard learned counsels for respective parties.

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

“(i) For issuance of a writ in the nature of Certiorari to No. 261(9) dated 09.02.2012 No. quash Memo the (Annexure-5) issued under signature of the Health Department, Additional Secretary, Government of Bihar, Patna (Petitioner no. 2). Whereby and where under the petitioner re-suspended under Rule 9 (2)(K) of Bihar Government



Employee (Classification control and Appeal) Rule 2005.

(ii) For issuance of a writ in the nature of mandamus directing and commanding the respondents vacate the suspension of the petitioner and pay full salary which has dues with the suitable interest till date.

(iii) To grant any other relief/reliefs, order/orders for which the petitioner is entitle under law as well as on fact.”

During pendency of the present petition it is learnt that inquiry was concluded in imposition of penalty and petitioner intends to challenge such order.

The concerned respondent is hereby directed to regulate the suspension period in accordance with law within a period of three months from the date of receipt of this order.

The petitioner is at liberty to question the validity of penalty order in filing a fresh petition since cause of action accrued during pendency of the present petition.

With the aforesaid observations, the present writ petition stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFAR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

