

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3841 of 2021

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Ramesh Shankar @ Ramesh Shankar Vidyarthi Son of Late Rama Shankar Ravi, Resident of Village - Ward No. 10, Malahi, P.S. - Sursand, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Department of Health, Bihar, Patna.
2. The Principal Secretary, Department of Health, Bihar, Patna.
3. The Director-In-Chief, (Administration) Health Services, Bihar, Patna.
4. The Civil Surgeon, Sitamarhi, District - Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Sri Krishna Ranjan, Advocate
For the Respondent/s : Mr. Lalit Kishore (Ag)

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

Date : 15-12-2021

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

“That the instant writ petition is being filed for issuance of writ in the nature of certiorari for quashing the order under memo no. 1086(4) Health dated 18.12.2020 issued by the Director-In-Chief (Administration) Health Services, Bihar, Patna whereby placing the petitioner under Suspension merely on the recommendation of Civil Surgeon, Sitamarhi who is an appellate Authority under statute and headquarter has been fixed at Aurangabad which is 200 K.M. for from Sitamarhi where the petitioner is posted as an Assistant and also for grant of any other necessary relief/reliefs to which the petitioner is entitled in the facts and circumstances of the case.”

Petitioner was placed under suspension on 18.12.2020.

As on the date of presentation of the present petition charge memo



was not issued. In the result, petitioner is entitled for review of suspension on the principle laid down by the Apex Court in the case of *Ajay Kumar Choudhary Vs. Union Of India* reported in *(2015) 7 SCC 291*.

Accordingly, the competent authority is hereby directed to undertake review of suspension in the light of the aforesaid decision of the Apex Court and pass order within a period of one month from the date of receipt of this order.

Accordingly, petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	04.01.2022
Transmission Date	

