

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1631 of 2019

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Dr. Mahesh Kumar, (male), aged about 58 years Son of Laxman Singh,
resident of Mohalla- Katalbari, Tilka Manjhi, P.S. Tilka Manjhi, District-
Bhagalpur, presently posted as Assistant professor, Anesthesia Department,
Jawahar Lal Nehru Medical College and Hospital, Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Director-in-Chief, Health Services, Bihar, Patna.
4. The Additional Secretary, Health Department, Government of Bihar, Patna.
5. The Joint Secretary, Health Department, Government of Bihar, Patna.
6. The Special Executive Officer, Health Department, Bihar, Patna.
7. The Principal, Jawahar Lal Nehru Medical College and Hospital, Bhagalpur.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Vijay Kumar Singh, Adv.

For the State : Mr. Pankaj Kumar, SC-12

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 12-08-2022

The matter has been taken up for consideration online.

2. Heard learned counsel for the petitioner and learned
counsel for the State.

3. The petitioner has approached this Court being
aggrieved by his exclusion in the final Gradation/Selection List
published under letter No. 652(17) dated 13-09-2018.



4. Learned counsel for the petitioner submits that the petitioner came in service in the year 2009. He was not accorded his due position in the post of Associate Professor and Professor, Department of Anesthesia in the Gradation/Selection List published in the year 2014. Being aggrieved by his exclusion, he had represented before the Authorities several times and the relevant service records, details of the petitioner were also forwarded in this regard to the Competent Authority. Based on such consideration that in the provisional Gradation/Selection List which was published on 09-07-2018 he was placed at Sl. No 16(Annexure P-7), whereas in the Gradation/Selection List his name does not find place. It is submitted that, in this connection, the petitioner has made representation giving the entire details of his service, in support of his claim for due position in the State level seniority list regarding the department of Anesthesia. The submission is that if the petitioner is considered by the Authorities, the petitioner is likely to be accorded his due position.

5. In view of the said submission, the writ petition need not be kept pending and the same is disposed of. The respondent No.4 (the Additional Secretary, Health Department, Government of Bihar, Patna) is directed to take a decision on the petitioner's pending representation in accordance with law expeditiously and



preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	02-09-2022
Transmission Date	N/A

