

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4620 of 2021**

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1. OM PRAKASH Son of Umesh Prasad Singh Resident of Mohalla- Anand Vihar Colony, Bhootnath Road, Kankarbagh, Patna, P.s.- Agamkuan, District- Patna
  2. Ganauri Prasad Son of Late Ram Prasad Rai resident of village- Shaidpura, P.s.- Nagarnausa, District- Nalanda
  3. Vijay Kumar Singh Son of Late Mishri Singh resident of village purnea, p.s. bihta, district- patna
  4. Nagendra Prasad Singh Son of Late Nathuni Singh resident of village- Shadikpur, Ps.- Barh, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna
2. The Regional Deputy Director, Health Services, Patna Region, Patna
3. The Director, Provident Fund, Bihar, Patna
4. The Civil Surgeon cum Chief Medical Officer, Patna
5. The Civil Surgeon cum Chief Medical Officer, Nawada

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Shiv Kumar  
For the Respondent/s : Mr. Lalit Kishore (AG)

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**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**

**ORAL JUDGMENT**

**Date : 15-02-2022**

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

Learned counsel for the State accepts notice for the respondents.

Learned counsel for the petitioners is hereby directed to serve copy of the petition to learned counsel for the



respondents, if it is not already served.

In the instant petition, petitioners have prayed for the following relief/reliefs:

*For issuance of a writ in the nature of mandamus directing the concerned respondents to pay the petitioners their due salary and post retirement benefit as the services of the petitioners are terminated and after calculating the same payment of gratuity, provident fund may be made to the petitioners in accordance with law. And/or pass such other order or orders as your Lordships may think fit and proper.*

The aforesaid relief is supported by representation at Annexure-9 series dated 27.05.2020. In the light of these facts and circumstances, the concerned respondent is hereby directed to examine each of the petitioner's service particulars and proceed to pass a speaking order as to whether petitioners are entitled to the relief sought by them or not. If they are entitled, the same shall be extended alongwith interest at the rate of 6 %



per annum on arrears amount. Interest is restricted to three years prior to filing of the present petition till the payment is made. If the petitioners are not entitled, in that event, a necessary speaking order shall be passed in respect of each of the petitioner.

The above exercise shall be completed within a period of four months from the date of receipt of this order.

With the above observation, writ petition stands disposed of.

**(P. B. Bajanthri, J)**

Ankit/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
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