

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2477 of 2022

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Shashi Ranjan Singh, Son of Sri Binod Prasad Singh, Resident of Office of Nagar Nigam, Senapat, P.O. and P.S.-Darbhanga (Town), District -Darbhanga (Bihar) presently Residing at ASMI Apartment, 1st Floor, Haripur Colony, P.O.-Digha Ghat, P.S.-Digha, District-Patna, Pin Code-800011 (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
3. The Secretary, Health Department, Government of Bihar, Patna.
4. The Deputy Secretary to the Government, Health Department, Government of Bihar, Patna.
5. The Civil Surgeon cum Chief Medical Officer, Patna.
6. Dr. Smt. Anupama, wife of Sri Shiv Ranjan, Gynecologist and Obstetrician Specialist, Gardanibagh Hospital, Patna at present on Deputation under the Office of Civil Surgeon cum Chief Medical Officer, Patna.
7. Sri Shiv Ranjan, Deputy Collector Land Reforms, Patna City, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shri Prakash Srivastava, Advocate Mr. Subhen Sarkar, Advocate
For the Respondent/s	:	Mr. S. D. Yadav, AAG-9

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

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Date : 04-03-2022

Heard learned counsel for the parties.



Petitioner has prayed for the following relief(s):-

- A. For issuance of an appropriate writ, order or directions in the nature of mandamus commanding the Respondents particularly Respondent No.3 to 5 to remove the Respondent No.6 as the Respondent No.6 though posted at Community Health Centre, Fathua, Patna was assigned to discharge the duties at Gardanibagh Hospital, Patna but merely on extraneous consideration sent on deputation in the Office of Civil Surgeon Cum Chief Medical Officer, Bihar, Patna.
- B. To issue a writ in the nature of mandamus commanding the Respondents particularly Respondent No.3 to 5 to relieve the persons, though were appointed and posted at different places but exclusively on extraneous consideration and in order to create all round chaos posted in due deliberation the Office of Civil Surgeon Cum Chief Medical Officer, Bihar, Patna.
- C. To ask an explanation cum show cause from the Respondent No.3 that under what compulsion the Respondent No.5 was though posted at Community Health Centre, Fathua under the District Patna by virtue of Notification dated 30.06.2021 bearing Notification No. 660(2) issued by the Respondent No.3 has been posted in Gardanibagh Hospital, Patna but without any rationale has been sent on deputation in the Office of Civil Surgeon Cum Chief Medical Officer, Bihar, Patna.



- D. To issue a writ in the nature of mandamus commanding the Respondent No.3 & 4 to relieve / remove all those persons who are sent on deputation in the Office of Civil Surgeon Cum Chief Medical Officer, Bihar, Patna and have created all round chaos in the Office of Civil Surgeon Cum Chief Medical Officer, Bihar, Patna.
- E. Any other relief(s) for which the Petitioner is legally entitled too.

Learned counsel for the petitioner seeks permission to withdraw the present petition.

Permission granted.

The instant petition stands disposed of as withdrawn.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Mohit Kumar Shah, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	08.03.2022
Transmission Date	

