

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8987 of 2021

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Smt. Sushila Kumari Wife of Nawal Kishor Sah Resident of Village-
Basadhiya Basarisa, Police Station- Dalsingh Sarai, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary-cum-Commissioner Department, Health, Medical Education and Family Welfare, Government of Bihar, Patna.
2. The Director-in-Chief, Health Services, Government of Bihar, Patna.
3. Civil Surgeon-cum-Chief Medical Officer, Rohtas at Sasaram.
4. Civil Surgeon-cum-Chief Medical Officer, Samastpur Collector, Araria, Bihar.
5. Medical Officer, Incharge Primary Health Center, Gurari Block, Karakat at Sasaram.
6. Medical Officer, Incharge Primary Health Center, Kalyanpur Block, at Samastipur.
7. Medical Officer, Incharge Primary Health Center, Singhiya Block at Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar
For the Respondent/s : Mr. Ajay Bihari Sinha, GA 8

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 16-02-2022

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

2. State counsel accepts notice for respondents.



3. Counsel for the petitioner is hereby directed to serve copy of the writ petition to the counsel for the State/respondents, if it is not already served.

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

“That this writ application has been filed for the issuance of a writ in the nature of ‘Mandamus’ or some other appropriate writ or writs or order or directions directing the respondent authorities 5, 6 and 7 to give payment of salary to the petitioner on some A.N.M.post as on 26.05.1995 the District Appointment Committee, Health Department at primary health center Karakat(Gorari) Rohtas. and respondent authorities served to the petitioner arbitrarily as yet for which the respondent authorities are personally liable to pay the damages from the personal resources as the law does not empowered for doing so in spite of the repeated attempts by the petitioner to the respondent authorities as per the directions addition to the representations and recommendations, but the respondent authorities have not paid any heed to the request of the petitioner which is the well considered and deliberate arbitrary action by the respondent authorities to be harassed as per the need and desire shown by the respondent authorities.”

5. The aforesaid relief is supported by representation dated 04.07.2020. The concerned respondent is hereby directed to examine the petitioner’s grievance and redress the same within a period of three months from the date of receipt of this order. If the petitioner is otherwise eligible for salary for the post held by her, the same shall be calculated and disbursed within the aforesaid time limit, failing which, petitioner is entitled to interest @ 8 % *per annum* on belated settlement of arrears of salary.



6. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	22.02.2022
Transmission Date	

