

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6647 of 2022**

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Dr. Pramod Kumar @ Pramod Kumar Son of Jagdish Ram, Resident of Village- Marukia, P.O. and P.S. - Andharathari, District- Madhubani, at present P.H.C., Khanpur, Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Joint Secretary, Department of Health, Government of Bihar, Patna.
4. The Civil Surgeon-Cum-Chief Medical Officer, Samastipur at Samastipur, P.S. and District- Samastipur.
5. The Medical Officer, Primary Health Center, Khanpur, Samastipur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate  
For the Respondent/s : Mr. Nagendra Pd. Yadav, SC 23

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

**Date : 19-05-2022**

Heard learned counsel for the respective parties.

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

“That this is an application for issuance of a writ in the nature of Mandamus commanding respondent no. 5 – the Civil Surgeon-cum-Chief Medical Officer, Samastipur to allow the petitioner to work at his place of posting vide Notification issued vide Memo No. 549 (2), dated 13.05.2016 and pay his current as well as arrears of Salary without forcing him to submit relieving letter from a place where he has been deputed by a without jurisdiction order (which



has been cancelled at the level of Head Quarter) and further for a direction to give all consequential benefits flowing from working of petitioner at the place of his posting.”

3. The petitioner has number of grievances including deputation. However, insofar as deputation is concerned, it was redressed by the concerned authority, therefore, what remains is relating to payment of salary and continuing of petitioner’s services in a particular post and place. In this regard, petitioner had submitted number of representations. The latest representation is dated 17.02.2022, Annexure 16. Therefore, respondent No. 4 – Civil Surgeon – cum – Chief Medical Officer, Samastipur at Samastipur, P.S. and District – Samastipur is hereby directed to pass speaking order on the petitioner’s representation and redress the grievance within a period of one month from the date of receipt of this order, failing which, the Civil Surgeon is liable to pay interest @ 6 % on arrears to be paid to the petitioner from his pocket.

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

GAURAV S./-

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