

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19338 of 2021**

Dr. Dwarika Prasad Raman, son of Naresh Prasad Yadav, resident of Village-  
Ramnagar Polytechnic, P.S. and District- Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, State of Bihar, Patna.
2. The Principal Secretary, Department of Health, State of Bihar, Patna.
3. The Joint Secretary, Department of Health, State of Bihar, Patna.
4. The Executive Director, Bihar State Health Society, Shekhpura, Patna.
5. The Civil Surgeon- cum- Chief Medical Officer, Madhepura.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Vikash Kumar, Advocate  
For the Respondent/s : Mr.Pankaj Kumar, SC12

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      02-09-2022                      Today being Friday, matters are being taken up  
through virtual mode, as per current procedure for hearing.

The petitioner's contractual service as 'Dentist' has  
been terminated by a general order dated 25.02.2020 bearing  
memo no.256 issued by the Department.

The submission is that the issue whether the petitioner  
would be entitled to continue on contractual basis or not has  
already been considered by this Court in the proceedings arising  
out of ***CWJC No.7282 of 2020***. The Letters Patent Appeal filed  
against the order dated 08.10.2021 passed in ***CWJC No.7282 of***  
***2020*** has also been disposed of affirming the decision of the  
Hon'ble Single Judge vide order dated 16.08.2022 passed in



**LPA No.98 of 2022.** In view of the said decision, it is submitted that the petitioner is also entitled to be extended benefits which have been extended to the petitioners of **CWJC No.7282 of 2020**. The submission is that since the decision has come during pendency of the instant writ application, the petitioner has not been able to approach the Authority for being extended similar benefit based on parity.

Learned State Counsel submits that if such application is made by the petitioner then nonetheless the same would be considered for grant of parity by the Authority.

In view of the submissions advanced by the parties, there is no issue left for determination in the instant writ proceedings and the claim of parity has to be considered by respondent no.2, which this Court observes should be done by the respondent no.2 within eight weeks from the date of receipt/production of a copy of this order along with a representation which the petitioner may submit within four weeks claiming parity with the petitioners of **CWJC No.7282 of 2020**.

Writ application is disposed of.

**(Madhuresh Prasad, J)**

shashank/-

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