

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1203 of 2020

Dr. Arun Kumar Sinha son of late Bimla Sharan Singh resident of Flat No. 302, Om Residency Apartment, Parwati Path, New Chitragupta Nagar, P.O.- Lohiya Nagar, P.S. Patrakarnagar, Town and District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Bikas Bhawan Secretariat, Bailey Road, Patna.
2. The Joint Secretary, Health Department, Government of Bihar, Bikas Bhawan Secretariat, Bailey Road, Patna.
3. The Additional Director, Health Services, Health Department, Government of Bihar, Bikas Bhawan Secretariat, Bailey Road, Patna.
4. The Director, Public Health Institute near P.M.C.H., Ashok Rajpath, Patna-800004.

... .. Respondent/s

Appearance :

For the Petitioner/s : None.
For the Respondent/s : Mr. Ramadhar Singh, GP 25

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 21-09-2023 On call, no one appears on behalf of the petitioner although Mr. Ramadhar Singh, learned GP 25 is present.

2. The present petition has been preferred for the issuance of an appropriate writ/writs, direction/directions, order/orders and quash the impugned order of compulsory retirement issued vide memo no. 2/M-68/2012-2007(2) dated 29.11.2019 and make payment of consequential benefits as arrears of salary and/or pass such other order or orders under the facts and circumstances of the case.

3. As per the counter affidavit filed on behalf of the



respondent nos. 1 to 3, it has been incorporated in paragraph 5 as follows:-

“5. That it is stated that after death of petitioner, the Health Department Government of Bihar has considered the case of the petitioner and on finding that prescribed procedure has not been adequately complied with in passing the order of compulsory retirement and therefore, the impugned departmental notification of compulsory retirement dated 29.11.2019 has been cancelled by a fresh notification issued by the Health Department, Government of Bihar, vide memo no. 1499(2) dated 08.11.2021. By this notification, payment of arrear of salary till the death of the petitioner i.e. 08.05.2021 has been sanctioned considering his last place of posting at Public Health Institute, Patna.”

In view of the aforesaid facts, it is clear that the writ petition has become infructuous.

Accordingly, the petition stands disposed of.

(Rajiv Roy, J)

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