

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.929 of 2023

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Ram Chandra Khan S/o Jay Kant Khan, R/o Village- Rampur Tilak, Ward No.
- 11, P.S. Ramnagar- Pharsahi, District - Purnea, PIN - 854102.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Director in Chief, Health Services, Government of Bihar, Patna.
4. The Civil Surgeon-Cum-Chief, Medical Officer, Purnea.
5. The Collector of Purnea.
6. The Deputy Collector Establishment Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Jha, Advocate
For the Respondent/s : Mr. Mujtabaul Haque, GP-12
Mr. Pranay Kumar, AC to GP-12

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 27-06-2023 Heard Mr. Ranjit Jha, learned counsel appearing
on behalf of the petitioner and Mr. Mujtabaul Haque,
learned GP-12 appearing on behalf of the State.

2. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner was appointed in
light of Memo No. 731(5) dated 09.11.1982, however, the
advertisement relating to the said period confirms that
petitioner was appointed on the admissible pay scale and,
thereafter, petitioner continued and was promoted in third
class post, however, confusion has been created by Memo



No. 2406 dated 18.06.2012 in which promotion granted to the petitioner in Class-3 post has been taken to be re-appointment and as such petitioner has been denied the continuity of the service and pensionary benefits which has been illegally calculated.

3. Learned counsel further submitted that one man committee was constituted as per the direction of this Court and the Chairman of the committee has found the appointment of the petitioner to be in accordance with law. The similarly situated employees were granted pensionary benefit. Learned counsel in view of the above facts seeks to file a detailed representation before Director-in-Chief, Health Services, Bihar.

4. Considering the submissions made by the petitioner, the petitioner, if so advised, may file a detailed representation along with all the relevant documents relating to the service as well as its continuity before the Director-in-Chief, Health Services, Bihar, who is directed to pass a reasoned order preferably within a period of six weeks after giving due opportunity of hearing to the petitioner, if required further hearing be afforded to the



petitioner and pass a reasoned order. In case, time extension is required, the same may be granted on the request of the petitioner.

5. With above observation and direction, the present writ petition is disposed of.

(Purnendu Singh, J)

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