

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2654 of 2023

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Upendra Ram Son of Late Raj Nand Ram, Resident of Village- Sherbhuka,
P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Director-in- Chief, Health Service, Government of Bihar, Patna.
3. The Civil Surgeon-cum- Chief Medical Officer, District- Patna.
4. The In- Charge Medical Officer, Primary Health Center, Bikram, District- Patna.
5. The District Provident Fund Officer, Patna, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.
For the State : Mr. Ramadhar Singh (Gp25)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL JUDGMENT

Date : 13-07-2023

Heard Mr. Gajendra Kumar Singh, learned counsel appearing on behalf of the petitioner and Mr. Ramadhar Singh, learned counsel appearing on behalf of the State.

2. The case of the petitioner is that he was appointed on the post of Basic Health Worker in Primary Health Centre, Semaria, Hazaribagh on 11.10.1983. The petitioner remained posted there from 11.10.1983 till 24.01.1985 and thereafter on 25.01.1985 he was transferred to the Office of Civil Surgeon-cum- Chief Medical Officer, Patna and remained posted there till



22.05.1985 and on the same date he was transferred to Maner Primary Health Centre. The petitioner is aggrieved by non payment of G.P.F. and G.I.C. in light of the Hon'ble Apex Court decision. It has been stated that the petitioner's case is covered by this Hon'ble Court Judgment reported in 2006 (3) PLJR 386.

3. The records brought with respect to the petitioner reveals that the petitioner was retrenched from the post of Basic Health Worker, vide Memo No. 1831, dated 04.03.2003, issued by the Civil Surgeon-cum-Chief Medical Officer, Patna.

4. The petitioner is aggrieved by the inaction of the Director -in-Chief, Health Service, Bihar for not having taken up his case in light of the Hon'ble Apex Court Judgment with respect to payment of retiral dues claimed by the petitioner.

5. The Director-in-Chief, Primary Health Services must ensure to verify the records related to the petitioner from the Civil Surgeon-cum-Chief Medical Officer, Patna and verify the status of the petitioner in light of the Apex Court decision.

6. The Civil Surgeon-cum-Chief Medical Officer, Patna must ensure to make payment in accordance with law considering the letter of the Director-in-Chief, Health Services, Patna.

7. The above exercise must be undertaken by the Director-in-Chief, Health Services, Patna not beyond a period of



six weeks and communicate to the Civil Surgeon-cum-Chief Medical Officer, Patna forthwith.

8. The Civil Surgeon-cum-Chief Medical Officer, Patna must ensure payment to the petitioner in accordance with clarification made by the Director-in-Chief, Health Service, Bihar within a period of two weeks. The interest must be calculated on account of delayed payment.

9. With the above observation and direction the writ petition stands disposed of.

(Purnendu Singh, J)

pravinkumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

