IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9636 of 2020

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Sameer Purti S/o Rajan Purti, Resident of -Ward No-4, Chakhani Mission, Naya Tola, Chakhni, Rajwatiya, District-West Champaran-845101.

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna, Bihar.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Director in Chief, Health Services, Bihar, Patna.
4. The Director, (Joint Secretary Level) Health Services, Bihar, Patna.
5. The Additional Director, Health Service, Bihar, Patna.
6. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
7. The Regional Additional Director, Health, Tirhut Division, Muzaffarpur.
8. The Deputy Secretary, Health Services, Bihar, Vikash Bhawan, New Secretariat, Patna.
9. The District Magistrate, West Champaran, Bettiah.
10. The Civil Surgeon Cum Chief Medical Officer, Bettiah, West Champaran.
11. Medical Officer-Incharge, Refferal Hospital, Gaunaha and Lauria, West Champaran, Bettiah.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Amit Pandey, Adv
For the Respondent/s : Ms.Vijaya Laxmi Srivastava, AC to SC 23

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 31-08-2023 Heard learned counsel for the petitioner and learned counsel for the respondent.

2. The petitioner’s suspension w.e.f., 02.02.2018 and its continuance has brought the petitioner before this Court by way of instant writ proceedings. He is aggrieved by its continuance.

3. Counter affidavits on behalf of respondent nos. 1

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to 5 and respondent nos. 10 to 11 have been filed. The Civil Surgeon-cum-Chief Medical Officer, West Champaran, Bettiah (respondent no. 10) vide memo no. 1318 dated 26.09.2020, revoked the suspension of writ petitioner as per the stand in the counter affidavit. Copy of the order dated 26.09.2020 has been annexed as Annexure H to the counter affidavit on behalf of the respondent nos. 10 and 11. The petitioner, thereafter, has retired on 30.11.2020.

The main cause of action bringing the petitioner to this Court, therefore, does not survive. There are, however, some dues, which as per averments made in the counter affidavits, are being processed or in the process of finalization.

4. The learned counsel for the petitioner submits that he will be making an application before the respondent no. 10 and Medical Officer- Incharge, Refferal Hospital, Gaunaha and Lauria, West Champaran, Bettiah (respondent 11), specifying the dues which remain to be paid till date.

5. If such application is filed within a period of 4 (four) weeks, it is expected that the same will be considered by a reasoned and speaking order, and amounts found admissible, paid to the petitioner expeditiously.

6. This entire exercise is required to be completed

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within a period of 3 (three) months from the date receipt/production of a copy of of this order along with petitioner's representations (Annexure P/5 Series).

(Madhuresh Prasad, J)

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