

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17279 of 2015

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Pawan Kumar Yadav S/o- Sri Nageshwar Yadav, R/o Vill- Milki, P.S.-
Kamtaul, Distt- Madhubani, A/P- Posted as Health worker in Primary Health
Centre, Bisfi, Distt- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Health Commisisoner, Health Service, Govt. of Bihar, New Secretariat,
Patna-1.
3. The Director-in-Chief, Health Services, Govt. of Bihar, New Secretariat,
Patna-1
4. The Regional Deputy Director, Health Services, Govt. of Bihar, Darbhanga
Division, Darbhanga.
5. The Civil Surgeon-cum-Chief Medical Officer, Madhubani.
6. The Incharge Medical Officer, Primary Health Centre, Bisfi, P.S. Bisfi,
Distt- Madhubani.
7. The Principal Secretary, Department of Finance, Govt. of Bihar, Old
Secretariat, Patna-1

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms.Rooni Mandal, Advocate
For the State	:	Mr.Sunil Kr. Mandal, SC-3
		Mr.Arjun Prasad, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-09-2023 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(i) To direct the Respondent authority to
consider the representation of the petitioner in
the light of Hon'ble High Court order dated
24.04.2012 in CWJC No.18803/2008 for grant
of Matric pay scale to the petitioner since
November 2004 in pay scale of Rs. 925-1540,
revised from time to time and further direct the*



Respondents concerned to pay him arrear of salary.

(ii) To direction to the Respondents concerned to pay the compensation interest cost of this forced litigation to the petitioner in the facts and circumstances of the case.”

2. At the outset, the learned counsel for the petitioner has referred to the judgment, rendered by a Co-ordinate Bench of this Court dated 24.04.2012, passed in CWJC No. 18803 of 2008, whereby and whereunder the petitioner was granted liberty to approach the respondent-authorities, in case of him being aggrieved with regard to anomaly in fixation of salary on the post of dresser, however, it is the complain of the petitioner that his representation has not yet been disposed off.

3. Per contra, the learned counsel for the respondent-State has submitted by referring to the counter affidavit, filed in the present case, that the petitioner was requested to provide his service history and in fact the Director-in-Chief (Administration), Health Services, Bihar, Patna has already been directed to take necessary decision in view of the order dated 24.04.2012, passed by a Co-ordinate Bench of this Court in CWJC No.18803 of 2008, a writ petition filed by the petitioner herein, hence the case of the petitioner would definitely be



considered, within a fixed time frame.

4. Having regard to the averments, made in the counter affidavit, as also considering the prayer, made by the petitioner, in the present case, I deem it fit and proper to dispose off the present writ petition with a direction to the Director-in-Chief (Administration), Health Services, Bihar, Patna to consider the representation of the petitioner, annexed as annexure-15 series to the present writ petition and pass a reasoned and a speaking order, in accordance with law, within a period of eight weeks of receipt/production of a copy of this order.

5. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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