

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8714 of 2023

=====

Dr. Anirudh Singh Son of Late Ganesh Singh, Resident of 450, Laxmi Nagar,
Hajipur, P.S. Industrial Thana, District- Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Civil Surgeon-cum-Chief Medical Officer, Vaishali at Hajipur.
3. The Special Secretary, Department of Health, Government of Bihar, Patna.
4. The Dy. Secretary, Department of Health, Government of Bihar, Patna.
5. The Principal Secretary, Department of Health, Government of Bihar, Patna.
6. Dr. Avani Kumar, Son of Durga Prasad Sah, Patori Station Road, Samastipur
presently posted as Medical Officer, In-charge, Primary Health Centre,
Patepur, Vaishali at Hajipur.
7. The District Magistrate, Vaishali at Hajipur.
8. The Principal Accountant General, Bihar, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Singh, Advocate
For the Respondent/s	:	Mr. S. D. Yadav, AAG-9
For the A.G., Bihar	:	Mr. Binod Kumar Labh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 10-10-2023

Heard Mr. Shailendra Kumar Singh, learned
counsel appearing on behalf of the petitioner, Mr. Binod Kumar
Labh, learned counsel appearing on behalf of the Accountant
General, Bihar and Mr. S. D. Yadav, learned AAG-9 appearing
on behalf of the State.

2. Learned counsel appearing on behalf of the
petitioner submits that due to non-issuance of No Objection
Certificate on the ground of laches on the part of Respondent
No.6. The Disbursing Officer being the Chief Medical Officer,

Patepur, Vaishali is solely responsible for such misappropriation, for which the petitioner can not be allowed to suffer.

3. As such, the Disbursing Officer being the Chief Medical Officer, Patepur, Vaishali is directed to issue the No Objection Certificate of the petitioner and send it to the Treasury Officer, Vaishali without fail. The present writ petition is disposed of with direction to the Chief Medical Officer, Patepur, Vaishali as well as, the Treasury Officer, Vaishali to ensure the payment of the entire amount of the pensionary benefit to the petitioner.

4. The petitioner shall be at liberty to take appropriate legal action against the Chief Medical Officer or the Treasury Officer in case of failure on their part in making the payment to him.

(Purnendu Singh, J.)

Ashishsingh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.10.2023
Transmission Date	NA