

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10798 of 2023

Mostt. Lalita Devi, W/o-Late Rameshwar Choudhary R/o-231, LIG, Block-4,
Bhoothnath Road, Sector-6, T.V. Tower, Sampatchak, P.S.-Agamkuna, Town
and Dist.-Patna-800026

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Health Govt. of Bihar, Patna.
3. The Secretary Health Department, Govt. of Bihar, Patna.
4. The Director in Chief, Department of Health Services, Govt. of Bihar, Patna.
5. The Regional Additional Director (R.A.D.) Health Department, Govt. of Bihar, Swasth Bhawan, Sultanganj, Patna.
6. The Civil Surgeon-Cum Medical Officer-in-Charge, Gardanibagh, Patna.
7. The Medical Officer-in-Charge Namely Dr. Anupama Sinha, Primary Health Centre, Danapur, Khagaul, Patna.
8. Sri Kaushlendra Kumar S/o-not Known Cleark, Civil Surgeon Office, Gardanibagh, Patna-800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Virendra Kuar, Adv.
For the State	:	Mr. Ramadhar Singh, GP-25

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has approach this Court assailing the
suspension order contained in memo no. 486(4) dated
03.04.2023 issued by the Director-in-Chief Health Services,
Government of Bihar (Respondent No. 4), as contained in
Annexure-14 to the writ petition.

3. The learned counsel for the petitioner submits that



the petitioner is a widow, who was appointed on compassionate ground. She could not comply with the transfer order dated 13.12.2022 due to various illness which she is suffering.

4. The submission is that the suspension order should thus be quashed. The suspension is by an order dated 03.04.2023, in contemplation of proceedings. From I.A No. 1 of 2023 filed by the petitioner, it is obvious that the proceedings have been initiated by a charge memo dated 08.05.2023, which have been served upon the petitioner on 05.07.2023. The issue regarding there being sufficient reasons for the petitioner not complying with the transfer order dated 13.12.2022 is an issue which is to be considered by the authority in the proceedings arising out of charge memo dated 08.05.2023.

5. No case is made out for interfering with the order of suspension as contained in memo no. 486(4) dated 03.04.2023, issued by the Director-in-Chief Health Services, Government of Bihar (Respondent No. 4), (Annexure-14). The writ petition is dismissed.

(Madhuresh Prasad, J)

Mayank/Shyambihari

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