

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16293 of 2022

Ashok Kumar Dubey, Son of Late Sarvjeet Dubey, Resident of Mohalla-Kazipur, Naya Tola Arya Kumar Road, P.O.- Bankipur, P.S.- Kadam Kuan, Town and District- Patna. PIN- 800004

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Health Department, Government of Bihar Patna.
2. The Director in Chief, Directorate of Health Services, Bihar, Patna.
3. The Superintendent, Sankramak Rog Aspatal, Agamkuan, Patna- 800007
4. The Accountant General of Bihar, R. Block, Patna-800001

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Raja Ram Mishra, Advocate.
For the State	:	Mr. Manoj Kumar Yadav, AC to GA-10.
For A.G. Bihar	:	Mr. Chaitanya Swaroop, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 31-07-2023

Heard Mr. Raja Ram Mishra, learned counsel appearing on behalf of the petitioner; Mr. Manoj Kumar Yadav, learned AC to GA-10 and Mr. Chaitanya Swaroop, learned counsel for the Accountant General, Bihar.

2. Learned counsel appearing on behalf of the petitioner submits that Rs.8,37,210/- on account of gratuity has been illegally withheld by the concerned respondent. He further submits that the case of the petitioner is covered by the law laid down by the Apex Court in the case of **Dr. Hira Lal Vs. The State of Bihar** reported in **(2020) 4 SCC 346**. Petitioner seeks to file a detailed representation before the respondent no.2 –



Director-in-Chief, Health Services, Bihar for redressal of his grievance.

3. The Director-in-Chief, Health Services, Bihar – respondent no.2 is directed to dispose of the representation of the petitioner in accordance with the law as laid down by the Apex Court in the case of Dr. Hira Lal (Supra) and make payment of dues amount in accordance with law within a period of six weeks.

4. The writ application, accordingly, stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	01.08.2023
Transmission Date	N.A.

