

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2535 of 2022

1. Neelam Kumari, Wife of Bandhu Kaushal Kishor, Resident of Village - Ghatkau, P.O. - Dhangawan, Police Station - Kako, District - Jehanabad.
2. Suresh Choudhary, Son of Late Ram Prasad Choudhary, Resident of Mohalla - Ghughari Tand, Sai Mandir, P.O. - Chand Chaura, Police Station - Civil Line, District - Gaya.
3. Kaushlendra Prasad, Son of Rajendra Prasad, Resident of Village - Jogiya, P.O. and Police Station - Chandi, District - Nalanda.
4. Ravi Nath Jha, Son of Sri Jaganath Jha, Resident of Village and P.O. - Bhojpatti, Police Station - Sarai, District - Vaishali.
5. Md. Junaid Son of Md. Ehasanullah, Resident of Mohalla - Khanmirza, P.O. - Mahendru, Police Station - Sultanganj, District - Patna.
6. Arun Kumar, Son of Sri Shiv Nandan Prasad, Resident of Village - Murarpur, Post - Katari, Police Station - Korma, District - Sheikhpura, Pin - 811105.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Health Department, Government of Bihar, New Secretariat, Patna.
2. The Director - in - Chief, Health Services, Government of Bihar, New Secretariat, Patna.
3. The Deputy Director (Administration), Health Services, Govt. of Bihar, New Secretariat, Patna.
4. The Deputy Director (T.B.), Health Services, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Jay Ram Prasad, Advocate
For the Respondent/s	:	Mr.Birju Prasad (Gp 13)
		Mrs.Shweta Anand, AC to GP-13

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-02-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(I) For issuance of a writ in the nature of mandamus or appropriate direction commanding the respondents to accept the



joining by treating the date of appointment of the petitioners to their respective posts of B.C.G.Technician with effect from 16.3.2000, the date on which the notification vide memo no.69 (II) dated 16.3.2000 appointing 109 candidates including others similar to the petitioners and including those junior to the petitioners in the merit list than that of petitioners were issued.

(II) For further commanding the respondents to fix the seniority of the petitioners as per the merit list prepared by the B.P.S.C. and to grant all monetary benefits of continuous service and seniority as may be available to the candidates appointed from the same merit list occupying just below the petitioners.

(III) For further commanding the respondents to provide old pension scheme in place of contributory pension plan (C.P.P.) since other appointees in this merit list have been provided old pension scheme whereas petitioners have been brought under contributory pension plan (C.P.P.) and to that extent quash Clause-7 of the Memo No.936 dated 15.9.2018 and Clause-6 of the Memo No.1153 dated 27.11.2018.

(IV) For further commanding the respondents to fix the salary of the petitioners after granting benefit treating the date of appointment as 16.3.2000 for the post of B.C.G. Technician.

(V) For further commanding the respondents to



pay all the consequential monetary benefits by computation of salary and computation of actual money benefit with full salary with effect from 16.3.2000.

(VI) For further commanding the respondents to refund the G.P.F. amount contributed by the petitioners during the earlier service rendered by the petitioners i.e. appointed by Dr.Mallick and count this service period for pensionary benefit.”

2. The learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to approach the respondent-authorities for redressal of their subsisting grievances, if any. Liberty so sought is granted.

3. The present writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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