

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3953 of 2020

Dr. Amrender Narayan Choudhary Son of Late Deo Narayan Choudhary, The then Associate Professor, Anugraha Narayan Magadh Medical College, Gaya, Resident of Village-Ghuran, Pir Baba Chowk, Near Tilka-Manjhi Chowk, Police Station Bhagalpur, District- Bhagalpur. Presently posted as Associate Professor, Jawaharlal Nehru Medical College, Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through, Principal Secretary, Department of Health (Medical Education), Government of Bihar, Patna.
2. The Principal Secretary, Department of Labour Resources-Cum-Additional Departmental Enquiry Commissioner, Bihar, Patna.
3. The Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna.
4. The Additional Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna.
5. The Director-in-Chief, Health Services, Department of Health, Government of Bihar, Patna.
6. The Director, Health Directorate, Department of Health (Medical Education) Government of Bihar, Patna.
7. The Additional Director-Cum-Presenting Officer, Health Directorate, Government of Bihar, Patna.
8. The Principal, Anugraha Narayan Magadh Medical College, Gaya
9. The Principal, Jawaharlal Nehru Medical College, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate
For the Respondent/s : Mr. Binod Kumar Yadav (SC-18)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 27-06-2024 Learned Senior counsel for the petitioner and learned counsel for the State are present.

2. Learned Senior counsel fairly submits that though the CWJC is pending since 2020 and counter affidavit has not been filed by the State, but it is also true that according to Rule



24 of the Bihar CCA Rules, 2005 there is provision of appeal and it is also indicated in the said Rule 24(3) that if there shall be no appeal against the order of government, review petition may be filed in the form of memorial. As such, the petitioner has already statutory right to prefer his memorial before the Appellate Authority as mentioned in Rule-24(2) of the Bihar CCA Rules, 2005.

3. Hence, this writ petition is disposed off directing the petitioner to exhaust his remedy under Rule 24(2) of the CCA Rules, 2005. The authority under Rule 24 is directed to pass a reasoned and speaking order considering all the points which the petitioner shall raise in his memorial within 90 days from the date of receipt/production of a copy of this order.

3. With this direction, this writ petition is disposed off.

(Dr. Anshuman, J)

Mkr./-

U			
---	--	--	--

