

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4634 of 2020

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Ramu Kumar Gupta Son of Jagdeo Prasad Gupta Resident of Ward no.14,
Near Block Bajnathpur, Bhelwa, Chhauradano District- East Champaran,
Bihar-845302.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Health Department, Govt. of Bihar, Patna.
2. The Civil Surgeon, Director-cum- Chief Medical Officer East Champaran at Motihari.
3. The Additional Chief Medical Officer East Champaran at Motihari.
4. The Incharge Medical Officer Primary Health Centre, Chhawadano, East Champaran.
5. The Executive Director State Health Committed, Bihar, Patna.
6. The Regional Additional Director Health Services, Tirhut Division, Muzaffarpur.
7. The District Magistrate East Champaran at Motihari.
8. The Joint Secretary Health Department, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Respondent/s : Mr.Ramadhar Singh (Gp25)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-04-2024 Counsel for the petitioner and counsel for State

present.

2. This writ petition has been filed for quashing of the

Memo No. 15 dated 03.01.2020 issued by Civil Surgeon Doctor-
cum-Chief Medical Officer, East Champaran, Motihari whereby
it was directed to recover the amount from the salary of the
petitioner after evaluation of the expired medicines further
prayer has been made to set aside the enquiry report by the



Enquiry Committee formed by the order vide Memo No. 1606 dated 19.08.2014 in view of letter no. 1425(15) Health dated 31.10.2019 and to grant any relief/s for which the petitioner is entitled in the facts and circumstances of this case.

3. Counsel for State raised preliminary objection and submits that final order has been passed after the enquiry was made by three men committee and the petitioner has directly challenged the said order before this Court. He ought to move before the higher authority first for the finding of the facts.

4. In the light of the submissions made, this writ petitioner is disposed off directing the petitioner to avail his remedy before the higher authority i.e. The Executive Director State Health Committed, Bihar, Patna (Respondent No. 5) within 30 days and Respondent No. 5 is directed to pass reasoned and speaking order within 90 days.

5. It is made clear that the said 90 days be counted from the date on which Lok Sabha Election gets concluded.

(Dr. Anshuman, J)

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