

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3331 of 2022

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Khurshid Alam Son of Late Abdul Gani Ansari Resident of Mohalla-
Gayaspur Lewari, P.O.- Gyaspur, P.S.- Siswan, District- Siwan.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Singh, Adv.
For the Respondent/s : Mr.Madhaw Pd. Yadaw (GP-23)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-02-2024 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 petitioner to his respective posts of B.C.G. Technician with effect from 16.03.2000, the date on which the notification vide Memo no.69 (ii) dated 16.03.2000 appointing 109 candidates including others similar to the petitioner and including those junior to the petitioner in the merit list than that of petitioner were issued.



II. For further commanding the respondents to fix the seniority of the petitioner 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 petitioner.

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 petitioner has been brought under contributory pension plan (C.P.P.) and to that extent quash clause-7 of the Memo no.936 dated 15.09.2018.

IV. For further commanding the respondents to fix the salary of the petitioner after granting benefits treating the date of appointment as 16.03.2000 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 16.03.2000.

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

2. At the outset, the learned counsel for the petitioner



seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to approach the respondent-authorities for redressal of his aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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