

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3507 of 2022

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Syed Abul Ehsan @ Syed Abdul Ehsan, son of Abdul Wahab, resident of Village and Post-Ladaura Pakari, Police Station-Kurhani, District-Muzaffarpur.

... .. 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

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Verma, Advocate
For the Respondent/s : Mr.Rajeshwar Singh (Ga 10)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2024 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 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 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 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 petitioner 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 petitioner during the earlier service rendered by the petitioner i.e. appointed by Dr.Mallick



and count this service period for pensionary benefit.”

2. 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 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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