

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5574 of 2022**

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Vijay Kumar Chaudhary Son of Late Jadunandan Choudhary, resident of 223 M.I.G, Shantikunj, Lohia Nagar, Kankarbagh Colony, Police Station Kankarbagh, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health and Family Welfare Department, New Secretariat, Bailey Road, Patna.
2. The Under Secretary, Health and Family Welfare Department, New Secretariat, Bailey Road, Patna.
3. The Civil Surgeon-cum-Chief Medical Officer, Araria.
4. The Incharge Medical Officer, Raniganj, Araria.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Rupak Kumar, Adv.  
For the Respondent/s : Mr.Ramadhar Singh ( GP- 25 )

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

7      13-02-2024                      1. The present writ petition has been filed seeking the following relief(s):-

*“1. That this writ application is filed for issuance of writ in the nature of Certiorari for quashing the notification dated 19.08.2008 whereby the petitioner has been placed under suspension with effect from 16.06.2008 on being in judicial custody in view of Farbishganj Police Case No.292/2008 which suspension is still continuing till date.”*

2. At the outset, the learned counsel for the petitioner has raised the issue of payment of subsistence allowance for the period February, 2012 upto the date of revocation of the order of



suspension i.e. 22.06.2022 and submits that for redressal of the said grievance of the petitioner, the petitioner be granted liberty to approach the Additional Chief Secretary, Department of Health, Government of Bihar, Patna, by filing appropriate representation, in view of the disputed question of facts involved in the present case. Liberty so sought is granted.

3. It is needless to state that in case appropriate representation is filed by the petitioner, before the Additional Chief Secretary, Department of Health, Government of Bihar, Patna, within a period of two weeks from today, the same shall be considered, in accordance with law and a reasoned and a speaking order shall be passed, thereon, within a period of six weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

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