

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4814 of 2024

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Jyoti D/o Raghunath Mahto R/o Rambagh Road, Near teacher Training School, P.O.-Ramna, P.S.-Mushari, Dist.-Muzaffarpur. 842002

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar.
2. Additional Chief Secretary, Health Department, Govt. of Bihar.
3. Officer On Special Duty, Health Department, Govt. of Bihar.
4. Anugrah Narayan Magadh Medical College and Hospital, Gaya through Superintendent.
5. Superintendent, Anugrah Narayan Magadh Medical College and Hospital, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sumit Kumar Jha, Advocate
For the Respondent/s : Mr.Government Pleader (3)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) Issue a writ/order/direction in the nature of MANDAMUS, directing the Respondent authorities especially the respondent health department for granting the benefits of maternity leave to the petitioner for the period 20.07.2022 to 15.01.2023 which has been arbitrarily denied by the respondent authorities uptill now.

(ii) For a direction to the respondent authorities to grant all the benefits of maternity leave in accordance with the decision of the department



itself as contained in the memo no. 1133(17) dated 29.11.2022 issued under the signature of Additional chief secretary.

(iii) To hold and declare that the petitioner is entitled for benefits of maternity leave in accordance with the decision of the department as contained in the memo no. 1133(17) dated 29.11.2022 issued under the signature of Additional chief secretary.

(iv) To hold and declare that the action of respondent authorities in not giving benefits of maternity leave to the petitioner is arbitrarily and violative of article 14, of the Constitution of India, especially when respondent authorities have already given the benefits of maternity leave to the other similarly situated senior resident doctors(bond).”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent no.2 i.e. the Additional Chief Secretary, Health Department, Government of Bihar, Patna for redressal of her aforesaid grievances. Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed, by the petitioner, before the Additional Chief Secretary, Health Department, 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 present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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