

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6938 of 2022

1. Ujala Vishen Daughter of Shakti Kumar Singh Resident of Sri Krishna Nagar, P.H.D. Colony, Ahri, District-Aurangabad.
2. Kumari Ranju Singh Wife of Shri Brajesh Kumar Village and P.O.-Latta, P.S.-Pauthu, District-Aurangabad
3. Suraj Kumar Son of Arun Kumar Thakur Resident of Village-Pachmahla, P.O.-Navdiha, P.S.-Khizersarai, District-Gaya, Bihar.
4. Chandan Kumar Paswan Son of Nageshwar Paswan Resident of Village and P.O.-Kachhuvi, P.S.-Lakhnaur, District-Madhubani, Bihar.
5. Sanjay Kumar Son of Rambriksh Prasad Village-Neuri, P.O.Neuri, Belaganj, Gaya.
6. Rahul Kumar Son of Late Arvind Kumar Resident of Village and P.O.-Kespa, P.S.-Alipur, District-Gaya, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Chief Secretary, Health Department Government of Bihar, Patna.
3. The Joint Secretary, Health Department Government of Bihar, Patna.
4. The Director in Chief (Disease Control, Public Health, Para Medicals), Health Department Government of Bihar, Patna.
5. The Divisional Commissioner, Magadh Division, Gaya.
6. The District Magistrate, Gaya.
7. The Chairman Enquiry Committee-Cum-Municipal Commissioner, Gaya Municipal Corporation, Gaya.
8. The Regional Deputy Director, Health Services Magadh Division, Gaya.
9. The Anugrah Narayan Magadh Medical College, Gaya through its Superintendent, Gaya
10. The Principal Anugrah Narayan Magadh Medical College, Gaya.
11. The Superintendent, Anugrah Narayan Magadh Medical College, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Mayank Rukhaiyar, Advocate
For the State	:	Mr.Birju Prasad (Gp13)
		Mr. Ravi Kumar, AC to GP-13

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2024

The present writ petition has been filed seeking the



following relief:-

“1. That this is an application praying for issuance of an appropriate Writ / Writs, Order / Orders quashing enquiry report dated 20/10/2021 communicated vide Letter No.1733 dated 21/10/2021 issued by Respondent No. 7 whereby and where- under a 5 member enquiry committee headed by Respondent No.7 has come to a finding that gross irregularity has been committed by the selection committee and, further, for issuance of an appropriate Writ/ Writs, Order / Orders quashing Memo No.271(4) dated 14/03/2022 (Annexure P/13) whereby and where-under Respondent No. 4 has directed Respondent No.10 to ask for show cause from the appointed candidates and take steps in accordance with the law by passing reasoned and speaking order on the basis of the enquiry report forwarded by letter dated 1444 dated 23/10/2021.”

2. At the outset, the learned counsel for the petitioners submits that the petitioners no.1 to 4 and 6 have already been reinstated back in service, hence similar treatment is required to be meted out to the petitioner no.5 as well, who is yet to be reinstated in service, hence the Director-in-Chief (Disease Control, Public Health, Para Medicals), Health Department, Government of Bihar, Patna, i.e. the respondent no.4 be directed to consider the case of the petitioner no.5 for reinstatement in service. It is directed, accordingly.



3. It is needless to state that the respondent no.4 shall be obliged to consider the case of the petitioner no.5, for reinstatement in service, within a period of four weeks from today and pass a reasoned and a speaking order, in accordance with law, within the same time frame.

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

(Mohit Kumar Shah, J)

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