

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8363 of 2022**

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Shailendra Kumar Son of Late Sri Govind Singh Resident of Village- Bari Kewai, PO- Daniyawan, PS- Shahjahapur, District- Patna at present Mohalla- Ashok Vihar Colony Agamkuan, Pahari Road, PO- Gulzarbag, PS- New Bye Pass, District- Patna, 800007.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Health and Family Welfare Department, Government of Bihar, Patna.
4. Additional Secretary cum Special Secretary, Health Department, Government of Bihar, Patna.
5. Director in Chief, Health Services, Government of Bihar, Patna.
6. The State Leprosy Eradication Officer, Bihar, Patna.
7. The Civil Surgeon cum Chief Medical Officer, Patna.
8. The District Leprosy Control Officer, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Ravindra Kr Sinha No.2, Advocate  
For the Respondent/s : Mr.Mujtabaul Haque ( GP- 12 )

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

3      27-02-2024                      The present writ petition has been filed  
seeking the following reliefs:-

*“1.i. To issue a writ in the nature of  
Mandamus commanding / directing  
the respondents to take the  
petitioner back in the service  
because the service of similar  
person like petitioner namely  
Sanjeev Kumar, whose name is  
mentioned at serial no. 101 in the*



*said Annexure-A of the report dated 29.11.2001 filed by CBI has been reinstated and subsequently his services has been regularized by the state functionaries in the year 2008 itself though the case of the petitioner is being discriminated and thus no decision yet has been taken in spite of several representations have been filed.*

*ii. To issue a writ in the nature of Mandamus commanding / directing the respondents to take the petitioner back in the service because as per the enquiry report dated 29.11.2001 submitted by the CBI whereby and whereunder as per report the CBI Officer, the petitioner has been appointed validly in the year 1987.*

*iii. To issue a writ in the nature of Mandamus commanding / directing the respondents to allow the petitioner to work in his post as one person namely Sanjeev Kumar whose name is mentioned as Serial No 101 in the list of CBI submitted with the report though the name of the petitioner is also mentioned at*



*Serial No 101 of the same list submitted by the CBI.*

*iv. To issue a writ in the nature of Certiorari to quash the order contained in letter bearing memo no. 84(11) dated 08.03.1999 whereby and whereunder the service of the petitioner along with others has been declared illegal without any show cause notice by the Additional Secretary cum Special Secretary Health Department, Government of Bihar, Patna (Respondent No 4) and directed not to take work.*

*v. To issue a writ in the nature of Certiorari to quash the order contained in letter bearing memo no 236 dated 19.04.1999 whereby and whereunder the service of the petitioner along with others has been illegally and arbitrarily terminated by the District Leprosy Control Officer, Patna (Respondent No 7)."*

2. At the outset, realizing the fact that the petitioner has already filed one another writ petition bearing CWJC No. 9696 of 2016 along with



some other persons, which is still pending adjudication, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to prosecute the aforesaid writ petition bearing CWJC No. 9696 of 2016, or in the alternative approach the respondent authorities for redressal of his subsisting grievances. Liberty, so sought, is granted.

3. The writ petition stands dismissed as not pressed.

4. As far as the aforesaid writ petition bearing CWJC No. 9696 of 2016 is concerned, the records of the same be sent back to the Registry.

**(Mohit Kumar Shah, J)**

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