

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6980 of 2018

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Jitendra Lal Deo Son of Late Jugeshwar Lal Deo, Resident of Village-
Tikapatti, P.S. Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Health,
Government of Bihar, Patna.
2. Director-in-Chief, Health Services, Government of Bihar, Patna.
3. Civil Surgeon Cum Chief Medical Officer, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiv Kumar, Adv.

For the Respondent/s : Mr. Rajeshwar Singh (GA-10)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 29-04-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for directing the respondent authorities to consider the case of the petitioner for regularization in the light of order dated 26.06.2006 passed in Letters Patent Appeal No.946/2003.

3. Learned counsel for the State raised preliminary objection and submits that the petitioner was removed from the service with effect from 1997 and thereafter, he has filed the writ petition for regularization in the year 2018. On this ground, this writ petition may be dismissed as the petitioner has moved before this Court with inordinate delay.

4. Upon going through the pleadings, it transpires to this Court that the petitioner sought his relief based on the order dated 26.06.2006 passed in L.P.A. No. 946/2003 meaning



thereby, cause of action for petitioner has arisen for the relief which he has mentioned in the writ petition on 26.06.2006 but he has opted to move before this Court after 12 years i.e. in the year 2018.

5. Hence, on this ground, this Court is not inclined to pass any direction in favour of the petitioner.

6. Liberty is hereby granted to the petitioner that he may file the representation in the light of clause 4(C) of the Bihar State Litigation Policy, 2011, if so advised.

7. Learned counsel for the petitioner submits that atleast the period during which he has worked, the GPF amount and Group Insurance may be directed to be paid as it is the earning of the petitioner deposited before the State.

8. It is directed to the petitioner that he shall file representation before the Civil Surgeon Cum Chief Medical Officer, Madhubani who shall take a lawful decision in this matter within 90 days.

9. Hence, with the aforesaid observations and directions, this writ petition is hereby disposed off.

(Dr. Anshuman, J.)

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