

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5054 of 2018

1. Balindra Chaudhary, Son of Late Vishwanath Chaudhary, Resident of Village- Sahebganjderwa, P.O.- Sangrahwa, P.S.- Gopalpur, District- Gopalganj.
2. Satya Narain Yadav, Son of Sri Babu Nand Yadav, Resident of Village- Rajpur, Post- Radhaganj, P.S.- Phulwaria, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Health Department, Govt. of Bihar, Patna.
3. The Director-in-Chief, Health Services, Govt. of Bihar, Patna.
4. The District Magistrate, Gopalganj.
5. The Civil Surgeon-cum-Chief Medical Officer, Gopalganj.
6. The Regional Deputy Director, Health Services, Saran Division, Chapra.
7. The Treasury Officer, Gopalganj.
8. Rameshwar Kumar Srivatava, Son of Baijnath Prasad, Posted as Clerk, District Malaria Office, Gopalganj.
9. Umashankar Singh, Son of Suraj Singh, Posted as Clerk, Primary Health Centre, Narhva Shukla, Kuchaikot, Gopalganj.
10. Munna Rai, Son of Late Ravinarain Rai, Posted as Clerk, Primary Health Centre, Kataya, Gopalganj.
11. Mithilesh Chaubey, Son of Late Parsuram Chaubey, Posted as Clerk, Primary Health Centre, Kateya, Gopalganj.
12. Triloki Nath Pandey, Son of Late Gandhi Pandey, Posted as Clerk, A.N.M. School, Hathua, Gopalganj.
13. Jivanand Upadhyay, Son of Baldeo Upadhyay, Posted as Clerk, Referral Hospital, Phulwaria, Gopalganj.
14. Udai Nath Tiwari, Son of Late Kedra Nath Tiwari, Posted as Clerk, Referral Hospital, Bhore, Gopalganj.
15. Vikram Tiwari, Son of Late Satyadeo Tiwari, Posted as Clerk, Additional Primary Health Centre, Turkaha, Phulwaria, Gopalganj.
16. Sanjay Kumar Rai, Son of Ram Ashish Rai, Posted as Clerk, Primary Health Centre, Hathua, Gopalganj.
17. Rakesh Kumar Shrivastava, Son of Kapildeo Lal Shrivastava, Posted as Clerk, Additional Primary Health Centre, Yadopur, Sadar Block, Gopalganj.
18. Abhishek Kumar, Son of Vigendra Prasad, Posted as Clerk, District T.B. Centre, Kataya, Gopalganj.
19. Saurabh Kumar, Son of Late Vishvanath Tiwari, Posted as Clerk, Primary Health Centre, Uchkagaon, Gopalganj.
20. Durgesh Kumar Shukla, Son of Late Lalan Shukla, Posted as Clerk, Primary



Health Centre, Vijayipur, Gopalganj.

21. Dayashankar Mishra, Son of Late Pankaj Kumar Mishra, Posted as Clerk, Additional Primary Health Centre, Mirganj, Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Gyan Prakash, Advocate
For the Respondent/s : Mr.Rajeshwar Singh, GA-10
Mr. Nawneet Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 06-03-2024 Heard learned counsel for the petitioners, learned counsel for the State, and learned counsel for the private respondent.

2. After hearing the pleadings of the parties, it transpires to this Court that the Civil Surgeon-cum-Chief Medical Officer of the different districts is taking contradictory decisions from each other with regard to the grant promotion to the petitioners and other similarly situated persons in comparison with the private respondents. As such, it is necessary to decide this matter at the level of Director-in-Chief, Health Services, Government of Bihar, Patna.

3. Here in the present case, no affidavit has been filed on behalf of respondent No.3, namely, the Director-in-Chief, Health Services, Govt. of Bihar, Patna. As such, this writ petition is disposed off directing the petitioners to file their representation before respondent No.3, namely, the Director-in-



Chief, Health Services, Govt. of Bihar, Patna raising all the grievances which they have raised in the present writ petition along with a copy of this order within four weeks from today and the respondent No.3, namely, the Director-in-Chief, Health Services, Govt. of Bihar, Patna is directed to pass a reasoned and speaking order on the representation of the petitioners within 90 days thereafter after hearing the parties.

4. The time shall be counted from the date of appearance of all the contested parties and if it has been found that the petitioners are entitled to promotion then he shall pass the necessary order within the said period.

(Dr. Anshuman, J)

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