

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23334 of 2011

RAVINDRA PRASAD, S/O Late Jageshwar Mahto, R/O Village and P.O.-
Sonsa, P.S.- Rahui, District- Nalanda

... .. 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 Director, T.B. Centre, Patna
5. The Civil Surgeon-Cum-Chief Medical Officer, Patna, District - Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar No. 1, Advocate
For the Respondent/s : Mr.K.P. Gupta, SC 16

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 07-10-2024 Petitioner has *inter alia* prayed for following reliefs
in the paragraph No.1 of the writ petition:-

“That by the present writ petition, the poor and helpless petitioner craves indulgence before this Hon'ble Court for disposing of the present writ petition in terms of the common order dated 6.10.2009 passed in CWJC No.6575 of 2009 (Om Prakash Versus The State of Bihar and others and 319 similar analogous cases contained in Annexure-9 whereby and whereunder, exactly similarly situated petitioners of the aforementioned cases have been directed to be reinstated on their respective posts/services with all consequential benefits. The cases of this petitioner is also exactly similarly situated because this petitioner has also been appointed in same period of 1969 to 1987 and thereafter and by the same termination letter dated 30.4.1993 bearing Memo no. 11/0-2-3/91-528 (ii) Health, Patna (contained in Annexure- 13 of this writ petition) petitioners of CWJC No. 6575 of 2009 and other analogous cases have also been terminated and services of this petitioner has also been terminated by the same termination letter dated 30.4.1993 contained in Annexure 13 of this writ petition. Hence in compliance of Articles 14,16 and 16 of the Constitution of India,



Services of these petitioners may kindly also be directed to be reinstated on their respective posts/services with all consequential benefits. Let it also be clarified that initial appointment of these petitioners and petitioners of CWJC No. 6575/2009 and other cases, had also made the same in Health Department, between the period of 1969 to 1987 and thereafter and have also been terminated by the same termination letter contained in Annexure- 13 of this writ petition. And further for issuance of any other writ or writs, direction or directions as it may be deemed fit and proper to the facts and circumstances of the case.”

2. Considering the law laid down by the Apex Court *vide* order and judgment dated 17.10.2019 in case of the **State of Bihar and Ors. Versus Kirti Narayan Prasad** and other analogous cases (**Civil Appeal No.8649 of 2018 arising out of S.L.P. (Civil) No.24742 of 2012**), the issue involved in the present writ petition has finally been settled by allowing the appeal filed by the State of Bihar.

3. Accordingly, the grievance of the petitioner requires no consideration and the writ petition is, accordingly, dismissed.

(Purnendu Singh, J)

Sanjay/-

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