

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11467 of 2023

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Anita Kumari Wife of Mukesh Kumar Singh of Village- Andi P.S.-Asthavan,
District-Nalanda, at present posted as Staff Nurse (Grade-A), Jawaharlal
Nehru Medical College and Hospital, Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department,
Bihar, Patna.
2. The Director, Health Department, Bihar, Patna.
3. The Superintendent, Jawaharlal Nehru Medical College and Hospital,
Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Devi Das Srivastava, Adv.
For the Respondent/s	:	Mr.Pankaj Kumar, SC- 12
		Mr.Anuj Kumar, AC to SC-12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-02-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1. (a) For issuance of writ in the nature of Mandamus directing and commanding the Respondents to pay full salary from 23.05.2020 to 30.08.2020 total hundred days which was availed for child care leave and also pay full salary from 14.12.2020 to 14.02.2021 total 63 days which was availed for child care leave and also full salary from 04.02.2021 to 30.8.2021 total 88 days which was availed for child care leave and lastly full salary from 04.06.2022 days which to 30.06.2022 total 27 was availed by the petitioner for self treatment. All the child care leave were availed by the petitioner for the treatment of her son who is handicap and suffering from physically and mentally disease of Encephalitis.



b) For issuance of writ in the nature of Mandamus directing and commanding the Respondents to pay the entire salary as per sanctioned order passed vide Memo no.5857 to 5860 dated 13.09.2022 as the same were sanctioned as per notification no.640 dated 19.01.2015 issued by the Finance Department, Bihar Patna and Rule 220 A of the Bihar Service Code as well as 227 and 248 of the Bihar Service Code.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Superintendent, Jawaharlal Nehru Medical College and Hospital, Bhagalpur, for redressal of her aforesaid grievances. Liberty so sought is granted.

3. It is needless to state that in case appropriate representation is filed by the petitioner, before the Superintendent, Jawaharlal Nehru Medical College and Hospital, Bhagalpur, within a period of two weeks from today, the same shall be considered, in accordance with law and a reasoned and a speaking order shall be passed, thereon, within a period of six weeks, thereafter.

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

(Mohit Kumar Shah, J)

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