

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12388 of 2023

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Sheikh Mohammad Nazrul Hoda Son of Seikh Najmul Hoda Permanent Resident of Village- Bisfi, P.O. and P.S.- Bisfi, District- Madhubani, Presently Posted at- Pipra Bagahi, Unani Hospital, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Joint Secretary, Health Department, Government of Bihar, Patna.
4. The Under Secretary, Health Department, Government of Bihar, Patna.
5. The Director, AYUSH, Health Department, Govt. of Bihar, Patna.
6. The Deputy Director (UNANI), Department of Health, Govt. of Bihar, Patna.
7. The District Indigenous Medical Officer (Zila Deshi Chikitsa Padadhikari), Aurangabad, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Om Prakash Singh, Advocate
For the Respondent/s : Mr.Nagendra Pd. Yadav (SC-23)
Mr. Vijaya Laxmi Srivastava, AC to SC-23

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-02-2024 The present writ petition has been filed
seeking the following reliefs:-

“1.I. Issuance of writ or writs in the nature of Mandamus commanding the respondents to pass and further to communicate the final order upon the departmental proceeding which was initiated in the year 2012 against the petitioner vide file no. 16/C 02-12/2011-295 (Desi Chikitsa)



dated 03/04/2012.

II. Issuance of further direction or directions to grant the 2nd & 3rd D.A.C.P to the Petitioner which has not been granted to the Petitioner due to pendency of Departmental Proceeding though similar benefit has been granted to the juniors to the Petitioner and further direction to pay the salary of the suspended period with applicable interest.

III. Issuance of order / direction to grant all other consequential benefits for which the petitioner is entitled."

2. At the outset, the learned counsel for the petitioner submits that the petitioner has been informed, in response to his Right to Information application that he has been exonerated in the departmental enquiry by the Enquiry Officer, nonetheless, the disciplinary authority has not taken any final decision in the aforesaid departmental proceeding, initiated qua him, hence the respondents be directed to take a final decision with regard to the same.



3. The learned counsel for the respondents submits that in case the aforesaid departmental proceeding has not yet been concluded, the same would definitely be concluded within a period of six weeks from today. It is directed accordingly.

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

(Mohit Kumar Shah, J)

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