

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14443 of 2023

Dr. Rakesh Kumar S/o Surendra Prasad, R/o Ganga Vihar Colony, Tekar Road, P.S. - Sultangunj, Dist. Patna, Bihar - 800006.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. Principal Secretary, Health and Family Welfare Department, Government of Bihar, Patna.
3. Joint Secretary, Health and Family Welfare Department, Govt. of Bihar, Patna.
4. Under Secretary, Health Department, Govt. of Bihar, Patna.
5. Civil Surgeon-cum-Chief Medical Officer, Rohtas (Sasaram).
6. Accountant General (A and E), Bihar, Birchand Patel Path, Patna- 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Sr. Adv. Mrs. Jhashi Priya, Adv.
For the Respondent/s	:	Mr.Binod Kumar Yadav (Sc 18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-02-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). In the nature of mandamus directing the respondent no. 2 to consider the application dated 08.12.2021 preferred by the Petitioner to retire voluntarily from the service in the light of the Rule 74(b) (i) of the Bihar Service Code.
(ii). In the nature of mandamus directing the respondent no. 2 to grant the benefit of voluntary retirement to the Petitioner and payment of consequential benefit.”

2. At the outset, the learned Senior Counsel for the



petitioner seeks liberty on behalf of the petitioner to approach the Principal Secretary / Additional Chief Secretary, Department of Health and Family Welfare, Government of Bihar, Patna, for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case, appropriate petition is filed within a period of two weeks from today, the Principal Secretary / Additional Chief Secretary, Department of Health and Family Welfare, Government of Bihar, Patna, shall pass a reasoned and a speaking order thereon, in accordance with law, within a period of six weeks, thereafter.

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

(Mohit Kumar Shah, J)

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