

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21053 of 2021

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Dindayal Ram son of Late Rameshwar Ram, Resident of At the Bank of River, Near Mahavir Sthan, Piperdih, Post Office and Police Station- Aurangabad Town, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Additional Secretary, Health Department, Government of Bihar, Patna.
4. The Director-in-Chief, Health Department, Government of Bihar, Patna.
5. The Deputy Director, Health Department, Government of Bihar, Patna.
6. The District Magistrate, Aurangabad, Bihar.
7. The Regional Deputy Director, Health Services, Magadh Region, Gaya.
8. The Civil Surgeon, Aurangabad, Bihar.
9. The Superintendent, Sadar Hospital, Aurangabad, Bihar.
10. The Tuberculosis Officer, Aurangabad, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sumit Kumar, Advocate
For the Respondent/s : Mr.Ramadhar Singh (Gp25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(a) That the present writ application is being filed before this Hon'ble Court on behalf of the abovenamed petitioner for issuance of writ of certiorari for quashing/setting aside the order vide memo no. 71(4) dated 22.01.2007 by which the petitioner has been punished for being involved in irregular purchase of medicine in which one increment has been withheld with



cumulative effect and nothing will be payable in addition to subsistence allowance during the period of suspension.

(b) That the petitioner is further praying before this Hon'ble Court for issuance of writ of mandamus for directing/commanding the respondent authorities to make the payment of all consequential benefits which the petitioner is entitled from the date of his suspension as during this period the petitioner was not employed anywhere else.”

2. At the outset, the learned counsel for the petitioner submits that the petitioner has filed a representation/appeal against the order of punishment dated 22.01.2007, before the Secretary, Health and Family Welfare Department, Government of Bihar, Patna on 30.04.2007, however, the same has not yet been disposed off.

3. The learned counsel for the respondent-State submits that in case the aforesaid representation/appeal has been filed and is still pending consideration, the same would definitely be disposed off, within a stipulated time frame.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Secretary, Health and Family Welfare Department, Government of Bihar, Patna to consider the aforesaid representation/appeal, filed by the



petitioner, in accordance with law, in case the same has not yet been disposed off and pass a reasoned and a speaking order, within a period of six weeks of receipt/production of a copy of this order.

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

(Mohit Kumar Shah, J)

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