

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21959 of 2012

Dr. Smt. Krishna Kumari Singh, D/o Late Laxman Chaudhary, W/o Sri Ashok Kumar Singh, Resident of Mohalla – Shiv Shakti Seva Sadan, Mahisauri Chowk, Panch Mandir Road, P.O. and P.S. - Jamui, District – Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar thorough the Commissioner-cum-Secretary, Health Department, Bihar, Patna.
2. The District Magistrate, District- Jamui.
3. The Civil Surgeon-cum-Chief Medical Officer, Jamui.
4. The Civil Surgeon-cum-Secretary, District Health Committee, Jamui.
5. The Civil Assistant Surgeon-cum-Chief Medical Officer, Jamui.
6. The Incharge Health Officer, Primary health Centre, Sikandara, Jamui.
7. The Deputy Superintendent, Sadar Hospital, Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Satya Prakash Sinha, Advocate
For the State	:	Mr. Dinesh Maharaj, AC to AAG-11
For the Respondent/s	:	Mr. Gautam Bose, Advocate

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 22-10-2024

Heard learned counsel for the parties.

2. The petitioner claiming to be appointed on 07.02.2008 on the post of Health Officer under Chief Medical Officer, Jamui on the basis of contract for a year at a fixed salary of Rs. 30,000/- per month, which contract period was further extended, has filed this writ petition praying for arrears of salary from the month of June, 2010 to December, 2010. The petitioner claims to have served as



Medical Officer under Civil Surgeon, Jamui during the aforesaid period.

3. Respondent No.3 has filed a counter affidavit, wherein in paragraph no. 7, thereof, it has been stated that the In-charge Medical Officer, Primary Health Centre, Khaira, Jamui wrote a letter vide No. 161 dated 04.04.2012 to the Civil Surgeon-cum-Chief Medical Officer, Jamui regarding the working period of the petitioner. According to the In-charge Medical Officer, Primary Health Centre, Khaira, Jamui, the petitioner was present on duty from 01.02.2010 to 06.02.2010 and thereafter she remained absent from duty.

4. No rejoinder has been filed by the petitioner to the counter affidavit filed by the respondent no.3.

5. In view of the counter affidavit filed by the respondent no.3 that the petitioner was absent from duty since 06.10.2020, no salary for the period June, 2010 to December, 2010 can be paid to the petitioner as the petitioner has not been found on duty for the month of June, 2010 to December, 2010 at Jamui by the In-charge Medical Officer, Primary Health Centre, Khaira, Jamui as highlight



in the counter affidavit filed by the respondent no.3.

6. For the reasons stated above, the petitioner is found to be not entitled to the salary for the period mentioned above and the writ petition stands dismissed.

(Nani Tagia, J)

Nilmani/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	23.10.2024
Transmission Date	N/A

