

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21356 of 2021

Dr. Vishwanath Sharma Son of Late Bhagwat Sharma Resident of Village and P.O.- Thepaha, P.S.- Jiradei, District- Siwan, at present residing at D/59/255-B-4-5, Shivpurva, Mahmoorganj, Varanasi, Uttar Pradesh- 221010.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Principal Secretary, Health Department, Government of Bihar, Patna.
3. Officer on Special Duty, Health Department, (AYUSH), Bihar, Patna.
4. Principal, Government Ayurvedic College, Patna.
5. Accountant General, Veerchand Patel Path, Patna.
6. Treasury Officer, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shanti Pratap, Advocate
For the Respondent/s : Mr.Rajeshwar Singh (Ga10)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-04-2024 The present writ petition has been filed seeking the following relief:-

"That, this writ application is being filed for commanding the respondents to consider the case of the petitioner to allow him to superannuate at the age of 62 years as has been allowed to similarly situated person namely Dr. Sachidanand Rai.

This writ application is also being filed for holding that is the petitioner is entitled to work upto the age of 62 years but unfortunately he was retired at the age of 60 which is not sustainable in the eye of law."



2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Principal Secretary, Health Department, Government of Bihar, Patna for redressal of his aforesaid grievances, in light of the judgment dated 21.09.2017, rendered by a co-ordinate Bench of this Court in CWJC No.9667 of 2008 (Dr. Md. Shahabuddin @ Md. Shahabu vs. the State of Bihar & Ors) and other analogous cases. Liberty, so sought, is granted.

3. It is needless to state that in case appropriate representation is filed, within a period of two weeks from today, the Principal Secretary, Health Department, Government of Bihar, Patna shall dispose off the same by passing a reasoned and a speaking order, in accordance with law, 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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