

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2698 of 2018

- 1.1. Mr. Rajiv Kumar S/o Late Dr. Ranjit Kumar
- 1.2. Mr. Sanjeev Kumar S/o Late Dr. Ranjit Kumar
- 1.3. Mrs. Hema Prasad D/o Late Dr. Ranjit Kumar

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Health Department, Bihar, Patna.
2. The Principal Secretary, Health Department, Bihar, Patna.
3. The Deputy Secretary, Department of Health Bihar, Patna.
4. The Under Secretary, Department of Health Bihar, Patna.
5. The Additional Secretary, Department of Health, Bihar Patna.
6. The Departmental Enquiry Commissioner Bihar, Patna.
7. The Accountant General, Bihar, Birchand Patel Path, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms. Chhaya Kirti, Adv. Mr. Alok Kumar, Adv.
For the State	:	Mr. Birju Prasad (GP-13) Mr. Ravi Kumar (AC to GP-13) Mrs. Shweta Anand, (AC to GP-13)
For the AG		Mr. Bindhyachal Rai, Adv. Mr. Shubham Sourav, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 02-01-2024 Learned counsel for the petitioners, learned counsel for the State and learned counsel for the Accountant General are present.

2. Learned counsel for the State submits that in compliance of order no.4 dated 22.11.2023, supplementary counter affidavit has been filed and copy of the same has been served upon the counsel for the petitioners and the soft copy has



been filed and requests to this Court to accept the hard copy in the Court itself.

3. Prayer of acceptance of the hard copy in the Court itself is allowed.

4. Learned counsel for the petitioners upon going through the supplementary counter affidavit submits that during pendency of the writ petition, the original petitioner died and therefore, substitution petition has been filed vide I.A. No. 1 of 2022 which was allowed vide order no.3 dated 18.09.2023. Counsel also submits that the purpose for which the present writ petition has been filed has been fulfilled as the original petitioner was granted promotion w.e.f. 01.02.1997 in the pay scale of Rs.14,300-18,300/-.

5. It transpires to this Court that the departmental proceeding was pending against the petitioner, but due to the death of the petitioner, the said departmental proceeding comes to an end, but due to grant of promotion, there shall be the arrear of payment and other retiral dues. Petitioners of the writ petition at present are the heirs and legal representatives of the original petitioner.

6. State authorities are directed to calculate the entire money for which the petitioners father was entitled within three



months and pay the same to the present petitioners in accordance with law within two months further.

7. With this direction, this writ petition is hereby disposed of.

(Dr. Anshuman, J.)

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