

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1184 of 2019
In
Civil Writ Jurisdiction Case No.7320 of 2015

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Director in Chief, Health Department, Government of Bihar, Patna.
3. The District Magistrate, Sheikhpura.
4. The Civil Surgeon cum Chief Medical Officer, Lakhisarai.
5. The Civil Surgeon cum Chief Medical Officer, Lakhisarai.
6. The Incharge Medical Officer, Barbigaha, District Sheikhpura.
7. The Incharge Medical Officer, Suryagarha, Lakhisarai.
8. The Incharge Medical Officer, Ariyari, District Sheikhpura.

... .. Appellant/s

Versus

Anuradha Kumari, wife of Bhatgwati Sahay Resident of Naya Tola, Police Station- Basudeopur, District- Munger.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prem Ranjan Kumar, Advocate

For the Respondent/s : Mr. S.D. Yadav, AAG-9

Mr. Anil Kumar Verma, AC to AAG-9

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 02-09-2024

Ref: I.A. No. 01 of 2019

Heard I.A. No. 01 of 2019. There is delay of about 97 days in filing L.P.A. No. 1184 of 2019.

2. The State-Appellants have assailed the order



of the learned Single Judge dated 07.05.2019 passed in C.W.J.C. No. 7320 of 2015. Respondent - Anuradha Kumari was appointed as Auxiliary Nurse Midwifery in the Health Department on 29.04.1982 and her services have been dispensed/terminated on 10.03.2015. The alleged allegation in the termination order is that Respondent- Anuradha Kumari is stated to have submitted fake/forged certificate in order to gain selection and appointment to the post of Auxiliary Nurse Midwifery in the Health Department. This was noticed by the appellants only in the year 2015 with reference to order of appointment on 29.04.1982. In other words, they slept over the matter for decades. Moreover, decision of the concerned authority to the extent that Respondent stated to have submitted fake/forged documents has been determined without holding inquiry under the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005. The same has been taken note of by the learned Single Judge in its order dated 07.05.2019. Thus, Appellants have not made out a case so as to interfere with the order of the learned Single Judge.

3. Accordingly, L.P.A. No. 1184 of 2019 stands



dismissed. Pending I.A., if any, stands disposed of.

(P. B. Bajanthri, J)

(G. Anupama Chakravarthy, J)

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