

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5936 of 2016

1. Sacchitanand Chaudhary Son of Late Chandrika Prasad Chaudhary Resident of Colony Sri Krishna Vihar Inside Yadav Nagar Bhagwanpur, P.O.- Bhagwanpur, P.S.- Sadar, District- Muzaffarpur.
2. Mohan Prasad Sinha Son of Late Jagdish Pd Resident of Mohalla Prabhat Nagar, Kachhi Gali, N.H.-28, P.S.- Sadar, P.O.- Bhagwanpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Health and Family Welfare, Govt. of Bihar, Patna.
3. The Director in Chief Health Services, Govt. of Bihar, Patna.
4. The Secretary Department of Finance, Govt. of Bihar, Patna.
5. The Accountant General Bihar, Veer Chand Patel Path, Patna.
6. The District Magistrate, Muzaffarpur, District- Muzaffarpur.
7. The Senior Superintendent of Police , Muzaffarpur, District- Muzaffarpur.
8. The Superintendent, Sadar Hospital Muzaffarpur.
9. The District Welfare Officer, Muzaffarpur.
10. The District Program Officer Muzaffarpur.
11. The Civil Surgeon-cum-Chief Medical Officer, Muzaffarpur.
12. The Branch Manager, Central Bank of India, Branch- Reva Road Bhagwanpur, District- Muzaffarpur.
13. The Branch Manager, State Bank of India, Branch- Bhagwanpur, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Uday Prakash Shrarma, Advocate
For the Respondent/s : Smt.Nivedita Nirvikar, G.A. 10

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 04-02-2025 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present Writ Petition has been filed seeking a



direction to the respondents to pay the arrears arising from the non-payment of medical allowance to the petitioners from the date they surrendered the same, as per the resolution of the Government of Bihar contained in Memo No. 994 (14) dated 20.08.2014 (Annexure-1 to the Writ Petition). The petitioners have also prayed for a direction to the respondents to provide adequate damages to each petitioner for the non-implementation of the terms of the resolution (Annexure-1).

3. It transpires to this Court that Interlocutory Application No. 9107 of 2018 is pending in this case, which has been filed by an intervener seeking to be added as a party to the present writ petition. Since there is no specific provision in the Patna High Court Rules for adding an intervener to a writ petition, and the Interlocutory Application has not been represented by anyone, it is accordingly dismissed.

4. Learned counsel for the petitioners submits that during the pendency of the present Writ Petition, both petitioners have passed away. He further states that the petitioners had filed a representation, which is annexed as Annexure-3 to the Writ Petition, before the Principal Secretary, Health and Family Welfare.

5. Learned counsel for the State submits that if the



representation of the petitioners is still pending and the petitioners have died, the legal heirs or representatives who have acquired civil rights may pursue the matter further.

6. In light of the above, the present Writ Petition stands dismissed due to non-substitution of the legal heirs.

7. However, in the interest of justice, the legal heirs or representatives of the petitioners, who may have acquired civil rights, are at liberty to take further action against the authorities.

8 With the aforesaid observations and directions, the Writ Petition stands disposed off.

(Dr. Anshuman, J)

Ashwini/-

U			
---	--	--	--

