

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10570 of 2019

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Upendra Kumar S/o Late Rampyare Singh Resident of Village-
Miyabigha,P.O. Dariyapur,P.s. Islampur,Dist.-Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Health Department,Bihar,Patna
3. The Director-in-Chief, Health Services,Bihar,Patna
4. The Deputy Director, Tuberculosis,Health Services, Agamkuan,Patna
5. The Director, Tuberculosis and Demonstration Centre, Agamkuan,Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Adv.
For the Respondent/s : Mr. S D Yadav, AAG-9
Mr. Pravin Kumar, AC to AAG-9

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-06-2025 Heard the parties.

2. At the outset, learned Advocate for the petitioner submits that the case of the petitioner is identical and fully covered with the decisions rendered in the case of Raj Narayan & Ors. Vs. The State of Bihar & Ors., CWJC No. 20654 of 2010; as also the decision rendered in CWJC No. 10570 of 2019 and in CWJC No. 10298 of 2019; hence a prayer has been made to dispose off the present writ petition in the light of the aforementioned decisions in order to get verified the claim of the petitioner at the level of the concerned authorities.

3. Learned Advocate for the State, however, submits



that a counter affidavit came to be filed wherein the relief sought for by the writ petitioner has been resisted.

4. Learned Advocate for the petitioner, at this stage, submitted that the counter affidavit was filed long back in the year 2019 itself and later on, subsequent development has taken place in various decisions came to be passed by this Court, which covers the issue.

5. Be that as it may, considering the submissions set forth by learned Advocate for the respective parties, especially the submission that the case of the petitioner is covered with the decisions aforementioned, this Court deems it fit and proper to dispose off the writ petition with a liberty to the petitioner to approach before the respondent no. 3, preferably within a period of four weeks, from today, along with the relevant decisions, on which reliance have been placed.

6. In case such a representation is filed, the Director-in-Chief, Health Services, Bihar, Patna shall examine the claim of the petitioner and if the claim of the petitioner finds identical to those, with whom the petitioner is seeking parity, similar benefits shall be accorded to the petitioner, preferably within a further period of twelve weeks, thereafter.

7. Suffice it to observe that in case the claim of the



petitioner finds otherwise, it shall be followed by a reason and speaking order.

8. With the aforesaid observation and direction, the present writ petition stands disposed off.

(Harish Kumar, J)

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