

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3801 of 2008

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Manti Devi, w/o- Kamleshwar Ram, r/o- Vaishali Hospital campus, P.S-
Vaishali, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Secretary, Department of Health, Medical Education and Family Welfare Department, Government of Bihar, Patna.
3. The Director in-chief, Health Services, Government of Bihar, Patna.
4. The Civil Surgeon-cum-Chief Medical Officer, Vaishali.
5. The Incharge Medical Officer, Primary Health Centre, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Niranjana Kumar, Advocate
For the Respondent/s : Mrs. Deepika Sharma, AC to SC-15

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 25-09-2025

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant application for
the following relief(s) :-

*“1. (i) For commanding the respondents to
immediately reinstate the petitioner in service as
Female Ward Attendant in Primary Health Centre
Vaishali after quashing the order as contained in
memo no. 1793 dated 26.7.2003 issued under the
signature of the Civil Surgeon-cum-Chief Medical
Officer, Vaishali (respondent no. 4) as contained in*



Annexure-5 whereby and whereunder the services of the petitioner had been ordered to be terminated.

(ii) For grant of any other incidental, consequential or other appropriate relief/reliefs to which the petitioner may be found entitled.”

3. Shri. Niranjana Kumar, learned counsel for the petitioner has provided to the Court a certified copy of the earlier writ petition being CWJC no.8363 of 2003 filed by the petitioner which is taken on record. Though there are six annexures mentioned in the said writ application, the certified copy provided contains page nos.1 to 13 upto Annexure-1 only.

4. The prayer made by the petitioner in CWJC no.8363 of 2003 is quoted herein below for ready reference :-

“1. That this is an application for issuance of an appropriate writ(s)/order(s)/direction(s) especially in the nature of certiorari to quash the memo no. 1793 dated 26.7.2003 issued by Civil Surgeon-cum-Chief Medical Officer, Vaishali, whereby and where-under the service of the petitioner has been terminated with effect from the date of issuance of the said letter.

The petitioner further prays for grant of any other relief(s) for which they are entitled thereto.

Photocopy of the memo no.1793 dated 26.7.2003 are annexed herewith and marked as annexure-1 to this writ petition.”

5. Referring to the order dated 8.9.2003 passed in



CWJC no.4702 of 2003, learned counsel for the petitioner submits that CWJC no.8363 of 2003 filed by this petitioner was one of the cases in the batch of writ applications. The said batch of cases was disposed of by order dated 8.9.2003 in the following terms :-

“ In the result, all these writ applications are allowed, orders impugned are set aside and the petitioners are directed to be reinstated. However, the petitioners will not be entitled for their salary/remuneration for the period they have not actually worked.

No orders as to costs.”

6. On perusal of the prayer made in the instant application, it would transpire that the same is similar to that made by the writ petitioner in the earlier application being CWJC no.8363 of 2003, which has already been allowed by order dated 8.9.2003 quoted herein above.

7. In view of the above, nothing remains to be decided in the instant application and the same is dismissed.

(Partha Sarthy, J)

Shiv/-

AFR/NAFR	
CAV DATE	N/A
Uploading Date	25.09.2025
Transmission Date	

