

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11737 of 2025

Dr. Santosh Kumar, Son of Late Dharmnath Singh, Resident of M.I.G.- Q-353, Lohiyanagar, P.S. Kankarbagh, District- Patna- 20.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Joint Secretary, Department of Health Sciences, Govt. of Bihar, Patna.
3. The Additional Secretary, Department of Health Govt. of Bihar, Patna.
4. The Under Secretary-Cum-D.D.O. (Drawing and Disbursing Officer), Department of Health, Government of Bihar, Patna.
5. The Superintendent-cum-Civil Surgeon, Sadar Hospital, Bihar Sharif, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar, Adv.
For the Respondent/s : Mr. Arif Daula Siddiqui, AC to SC-25

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-08-2025 Heard the parties.

2. The petitioner who was duly appointed as Medical Officer on 15.03.1988, after serving various Primary Health Centre, Sadar Hospital and Medical Hospitals under the State of Bihar finally superannuated on 31.10.2023, while working as Additional Director, Health Services, Patna.

3. Mr. Sudhir Kumar, learned Advocate for the petitioner submitted that despite unblemished career and rendering services to the entire satisfaction of all the authorities concerned, the petitioner has not even been accorded his due salary for the period 24.01.2016 to 31.12.2016 and further for a



period of 22.07.2017 to 15.07.2019, and also for the month of March, 2020 and February, 2023 and incentive amount of Covid-19 equivalent to basic salary of April, 2020 with interest. He further contended that the Deputy Superintendent, Sadar Hospital, Biharsharif, Nalanda accepting the admitted dues recommended for payment of the salary on the representation of the petitioner, but to no avail. Similar recommendation has also been made by the Deputy Secretary, Health vide Memo No. 367(3) dated 28.06.2024 informing the In-Charge Officer, Finance (P.C.F.C.) Department, directing therein to ensure payment. The petitioner has all along been filing representation and approaching the authorities concerned, but no heed has been given to his claim.

4. Mr. Arif Daula Siddiqui, learned Advocate for the State submitted that *prima facie* it appears that recommendation has been made to ensure payment of the due salary and the same shall be paid in accordance with law, if there is no other impediment in law.

5. Having considered the submissions set forth and taking note of the letters which have been duly appended to the writ petition, whereby time and again recommendation and direction has been given to ensure payment of due salary of the



petitioner, this Court finds that without there being any justifiable reason, the petitioner has been put to harassment and it has rightly been said by the petitioner that a very sorry state of affairs is depicted prevailing in the State of Bihar.

6. In the aforesaid premise, this Court directs the respondent no. 3 to look into the matter and ensure payment of due salary of the petitioner and other incentive amount of Covid-19, preferably within a period of 8 weeks' from today.

7. It is made clear that in case of any delay in payment of the admissible due amount, the petitioner shall be entitled to 8% of interest over the amount which shall be recovered from the officers, who shall be found responsible for such delay.

8. The writ petition stands disposed off.

(Harish Kumar, J)

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