

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14267 of 2025

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Pankaj Kumar S/o- Late Umesh Singh, Resident of Village - Patasang, P.O -
Amba, P.S.- Rahui, District Nalanda, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Health Department, Government of Bihar, Patna.
3. The Director in Chief, Health Services, Government of Bihar, Patna.
4. The Civil Surgeon-cum-Chief Medical Officer, Nalanda, Bihar.
5. The Medical Officer In-Charge, Primary Health Centre, Harnaut, District - Nalanda, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Singh, Advocate
	:	Mr. Gyan Shankar, Advocate
For the Respondent/s	:	Mr. Ramadhar Singh, GP25

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 16-09-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The State has filed a counter affidavit in Court. Let
it be kept on record.

3. This application has been filed for seeking
following reliefs:

“i. For issuance of an appropriate writ in the nature of mandamus commanding the respondents specifically Respondent no. 4 i.e. Civil Surgeon-cum-Chief Medical Officer, Nalanda, Bihar to accept the joining of the petitioner on the post of Ward Attendant (Kaksh



Sevak) at Primary Health Centre, Harnaut, Nalanda pursuant to the order of transfer and posting dated 13.09.2023 issued by the Director-in Chief, Health Services, Bihar, Patna;

ii. For the issuance of writ of Mandamus for directing the Respondent authorities to allow the petitioner to discharge his duties on the post of Ward Attendant in Primary Health Centre, Harnaut, Nalanda with all consequential benefits;”

3. Learned counsel for the petitioner submits that the petitioner has not been allowed to join on the post of Ward Attendant at the Primary Health Centre, Harnaut, District-Nalanda.

4. Learned counsel for the State submits that since the petitioner absented himself for a pretty long period, he has not been allowed to join.

5. Learned counsel for the State has not been able to give any answer as to whether any departmental proceeding has been initiated against the petitioner for a long absence. In case, if no departmental proceeding has been initiated against the petitioner and no punishment has been imposed upon the petitioner, the petitioner cannot be stopped from joining his place of posting.



6. In these circumstances, the petitioner will give his joining in the office of respondent no.4 forthwith and the respondent no.4 will accept the joining of the petitioner.

7. In case, the State wants to initiate departmental proceeding against the petitioner, the State is free to do so.

8. With the aforesaid observation and direction, this writ petition is allowed.

(Sandeep Kumar, J)

anand/-

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