

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14107 of 2025

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Kumari Sobha Suman W/o Mahesh Kumar Singh, R/o Village-Chak Sarifa
Bhatu Rae, Alinagar, Levdan, Chakjado, P.S. and P.O.-Patepur, District-
Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health,
Government of Bihar, Patna.
2. The Executive Director, Bihar Health Society, Bihar, Patna.
3. The Regional Additional Director, Health, Tirhut Division, Muzaffarpur.
4. The District Magistrate, Vaishali at Hajipur.
5. The Civil Surgeon, Vaishali at Hajipur.
6. The Civil Surgeon cum Member Secretary, District Health Society, Vaishali
at Hajipur.
7. The In-Charge Medical Officer, Primary Health Centre, Patepur Block,
Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ravish Mishra
For the Health Society	:	Mr. K.K. Sinha
		Mr. Shashi Shekhar
For the Respondent/s	:	Mr. W.A. Khan, A.C. to S.C.-25

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner, learned

counsel appearing for the Bihar State Health Society and the

Respondent-State.

2. In the present writ application, the petitioner has
prayed for granting of the following reliefs:-

*“(i). For issuing appropriate writ(s)/ order(s)/
direction(s) in the nature of Certiorari to quash and set-
aside the order dated 05.02.2025 (Annexure P-6), passed
by the Respondent No. 6- the Civil Surgeon-cum Member
Secretary, District Health Society, Vaishali at Hajipur,*



wherein and whereunder the said state respondent in complete violation of law and procedures has dismissed the petitioner from the post of Asha (Accredited Social Helath Activist) Facilitator with immediate effect, on account of the fact that she was guilty of dereliction of duty and indiscipline.

(ii). For directing the Regional Additional Director, Health, Tirhut Division, Muzaffarpur (Respondent No. 3) to decide the Appeal which has been filed by the petitioner against her illegal and arbitrary termination which is pending since long and which the authority as per the laid down guidelines has to adjudicate upon within two months.

(iii). For giving urgent and immediate directions to the state respondents so as to re-open the blocked Ashwnin portal of the petitioner, and also clear her backlog admitted monetary dues. Including performance pay incentive.

(iv). For seeking explanation from the respondents as to the reasons which have prevented them from following the principles of Natural while deciding the case of the petitioner in a hurried and hush-hush manner.”

3. During the course of argument, it has come to the knowledge of this Court that for the reliefs as claimed in the present writ application, the petitioner has already filed an appeal before the Regional Additional Director, Health, Tirhut Division, Muzaffarpur (Respondent No. 3) which continues to be pending before the Respondent No. 3.

4. Learned counsel for the petitioner submits that the said appeal is pending before the Respondent No. 3 for long and



the Respondent No. 3 is unnecessarily protecting the same without disposing of the appeal within a reasonable time. He therefore submits that the petitioner would be satisfied if an appropriate direction would be issued by this Court for disposal of the pending appeal filed by the petitioner within in a fixed time frame after giving an opportunity of hearing to all the parties concerned.

5. To the aforesaid submission made by the learned counsel for the petitioner, the learned counsel appearing for the Respondent-State Health Society and the State do not have any objection. In fact, learned counsel appearing for the Respondents also urged this Court to give an appropriate direction to the appellate authority to decide the appeal within a reasonable time.

6. Having regard to the fact that the appeal filed by the petitioner is still pending before the Regional Additional Director, Health, Tirhut Division, Muzaffarpur for the same relief which has been claimed in the present writ application, the present writ application is disposed of directing the Regional Additional Director, Health, Tirhut Division, Muzaffarpur (Respondent No. 3) to dispose of the pending appeal of the petitioner within three months from the date of production of a



copy of this order after giving an opportunity of hearing to all the parties concerned.

7. Needless to emphasize that the final order which shall be passed by the appellate authority Regional Additional Director, Health, Tirhut Division, Muzaffarpur should be a reasoned and speaking order.

8. With the aforesaid observations and directions, the present application stands disposed of granting liberty to the petitioner to challenge the final order passed by the Regional Additional Director, Health, Tirhut Division, Muzaffarpur (Respondent No. 3) in case the outcome of the appeal goes against the petitioner.

(Alok Kumar Sinha, J)

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