

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18239 of 2025

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Kiran Kumari W/O of Madan Mohan Kumar, Resident of Village-Pawai,
Police Station and Block-Suryagarha, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Director-in-Chief (Nursing), Health Services, Bihar, Patna.
3. The Regional Deputy Director, Health Services, Munger Division, Munger.
4. The Civil Surgeon-cum-Chief Medical Officer, Lakhisarai.
5. The District Magistrate, Lakhisarai.
6. The Incharge Medical Officer, Primary Health Centre, Piparia, District-Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. Standing Counsel (08)

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-12-2025 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):

*“(i) For issuance of a writ in the nature of
mandamus commanding and directing upon the
Respondents concerned specially Respondent No. 2
and 4 to consider the claim of petitioner for grant of
2nd MACP for which she is entitled after completion of
20 years of service w.e.f. 01.06.2021 but the claim of
petitioner has never been considered compelling the
petitioner to retire from service on 30.04.2025
adversely affected the pay scale of petitioner without*



any valid reason.

(ii) For further direction upon the Respondents concerned to grant monetary benefit after extending the benefit of 2nd MACP by way of payment of difference of salary as well as consequential benefit as a result her entire retiral benefit will be fixed on the basis of higher pay scale.

(iii) Any other order/orders for granting any other relief/reliefs for which petitioner to found entitled to in the facts and circumstances of this case.”

3. Having heard learned counsel for the parties and having perused the contents of the petition, the instant application is disposed of directing the petitioner to file a fresh representation before the respondent nos.2 and 4 within a period of four weeks.

4. In case such a representation is filed, the Director-in-Chief (Nursing), Health Services, Bihar, Patna and the Civil Surgeon-cum-Chief Medical Officer, Lakhisarai shall decide the same in accordance with law within a period of two months from the date of its filing.

5. Any amount found payable to the petitioner shall be paid within the aforesaid period.

6. In case for any reason the representation of the petitioner does not find favour with the respondents, a reasoned order for the same shall be communicated forthwith by the respondents to the petitioner.



7. It is made clear that the Court has not gone into the merits of the case of the petitioner which is to be decided by the respondents concerned.

8. The writ application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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