

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19688 of 2024

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Ram Krishna Kaushal S/o- Mithilesh Kumar Singh R/o- Sarvoday Nagar, in front of Gayatri Mandir, Ward No.- 40, Matihani, Begusarai, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Health, Govt. of Bihar, Patna.
2. The Director-in-Chief, Health Services, Govt. of Bihar, Patna.
3. The District Magistrate, Begusarai, Bihar.
4. The Divisional Commissioner, Munger Division, Munger, Bihar.
5. The Civil Surgeon-Cum-Chief Medical Officer, Begusarai, Bihar.
6. Ramanuj Kumar, S/o- Late Laxmi Prasad, R/o- Village and P.O.- Taregna, District- Patna, Bihar, presently posted as- Sanganak, Primary Health Centre, Sahebpur Kama, Begusarai, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gyan Shankar, Adv.
For the Respondent/s : Mr.Subodh Kumar, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 09-01-2025 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. This petition has been preferred by the petitioner
seeking following reliefs:-

I. For the issuance of writ of Quo
Warranto for removing the private respondent
no. 6 namely Ramanuj Kumar from the post of
Sanganak, Primary Health Centre, Sahebpur
kamal, Begusarai on the ground that the
appointment of the private respondent is fake
and no such appointment letter bearing letter
no.- 774(6) dated 30.11.2011 has been issued



by the Health Department, Government of Bihar, Patna , directing Civil Surgeon, Begusarai to appointment private respondent on compassionate ground.

II. For the issuance of writ of mandamus for directing the respondent authorities to take action against the Respondent no. 6 pertaining to his illegal appointment and thereafter, recover the paid salary and other benefits that has been paid to him from the exchequer, by the concerned respondent authorities.

3. It is submitted by learned counsel for petitioner that private respondent no. 6 i.e. Ramanuj Kumar has been appointed on compassionate ground under the Health Department in light of Memo No. 774(6) dated 30.11.2011. Subsequently, through communication dated 18.02.2012 (Annexure 'P/2') it was informed to the concerned Medical Officer that a letter no. 171(6) dated 10.02.2012 has been issued by the Health Department, Government of Bihar, Patna whereby the appointment of Respondent No. 6 through memo no. 774(6) dated 30.11.2011 has been approved. Referring to Annexure 'P/3 series', it is submitted by learned counsel that wherein information has been gathered by the petitioner through RTI which shows that letter no. 171(6) dated 10.02.2012 and letter



no. 774(6) dated 30.11.2011 has not been issued by the concerned official. Thus, it is quite clear that on the basis of those forged documents, the respondent no. 6 is continuing in his services. Learned counsel further submits that in this regard, the petitioner earlier also made several complaints before the respondent/competent authority, but no decision has been taken yet. He further submits that lastly the petitioner also made an application/ compliant (Annexure 'P/6') dated 07.09.2024 which is still pending, therefore, it is prayed by him that this petition may be disposed of directing the concerned respondent to consider and decide the same within a specific period fixed by this Court.

4. Learned counsel for the respondent does not oppose the above limited prayer made by learned counsel for the petitioner.

5. Having heard both learned counsel appearing for the parties, the petition is disposed of. The concerned authority/ respondents are directed to consider and decide the pending application/ compliant (Annexure 'P/6') dated 07.09.2024 as early as possible probably within 60 days from the date of receipt of this order in accordance with relevant rules and laws and pass a reasoned order.



6. This petition is, accordingly, disposed of.

(Arvind Singh Chandel , J)

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