

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1010 of 2022

Dr. Mahendra Kumar son of Sri Ram Nandan Prasad Sinha resident of Mohalla- 22 Kaveri Apartment of Badar Bagicha, P.O.- G.P.O., P.S.- Kotwali, District- Patna Permanent Address- Plot No. F 36, Opp Ekta Avenue, Sector 12, Kharghar, Raigarh, Maharashtra, 410210

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar, Patna
3. The Principal Secretary, Health Services, Government of Bihar, Patna
4. The Secretary, Health Services, Government of Bihar, Patna
5. The Joint Secretary, Health Services, Government of Bihar, Patna
6. The Director-in Chief, Health Services, Government of Bihar, Patna
7. The Civil Surgeon cum Chief Medical Officer, Singhbhum, Chaibasa, Jharkhand.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Respondent/s : Mr. Ajay Behari Sinha (GA8)

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
C.A.V. JUDGMENT

Date : 30-06-2026

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 an appropriate writ
commanding the respondents to give the direction for
further posting on the post of medical officer as per
annexure-9 and 10 to this petition.*

*(ii) For issuance of an appropriate writ
commanding the respondents to give the salary of the
petitioner from the month of August, 1992 to till date.*



(iii) For any other relief or reliefs for which the petitioner is entitled under law as well as on facts of this application.”

3. The case of the petitioner in brief is that he was appointed as a Medical Officer on 15.3.1988 and joined his service at Subsidiary Health Centre, Manush Muriya, Baharagoda on 16.3.1988. The services of the petitioner was confirmed and the petitioner continued working, however was not paid any salary.

4. It is the case of the petitioner that he filed several representations (Annexure-11 series) but not having received any response to the same, the instant writ application has been filed.

5. Though the application is opposed by learned counsel appearing for the respondents, however no counter affidavit having been filed inspite of the case having remained pending for more than four years, the Court is proceeding to dispose of the writ application.

6. From the facts stated herein above, the claim of the petitioner that he continued to work without receiving any salary for a period of more than 30 years before moving this Court by way of the instant writ application is highly improbable for this Court to accept and leaves little room for



doubt that something is amiss in petitioner’s narrative. The petitioner also prays for posting him as Medical Officer. In absence of any counter affidavit having been filed by the respondents, the facts required to decide the instant dispute are incomplete.

7. In view of the above, the instant writ application is disposed of directing the petitioner to file a detailed representation along with all supporting documents before the Director-in-Chief, Health Services, Government of Bihar, Patna (respondent no.6) for the reliefs prayed for in the instant writ application.

8. The respondent no.6 shall decide the representation of the petitioner in accordance with law within a period of four months from the date of its filing.

9. It is made clear that the Court has not entered into the merits of the case of the petitioner which is to be decided by the authorities concerned.

10. The writ application stands disposed of.

(Partha Sarthy, J)

Saurabh/-

AFR/NAFR	
CAV DATE	15.05.2026
Uploading Date	30.06.2026
Transmission Date	

