

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.907 of 2021

In

Civil Writ Jurisdiction Case No.11974 of 2019

Dr. Aquil Ahmad, S/o-Md. Taiyab, R/v-Choty Baliya, P.O.-Lakhaminiya, P.S.-Baliya, District-Begusarai Posted as a Incharge Medical Officer, Primary Health Center, Piprahi, Sheohar.

... .. Petitioner

Versus

1. The State of Bihar through Sri Deepak Kumar. the Chief Secretary, Government of Bihar, Patna.
2. Sri Sanjay Kumar, the Principal Secretary, Health Department, Government of Bihar, Patna.
3. Dr. Ashok Kumar, the Director in Chief, Health Services, Government of Bihar, Patna.
4. Dr. Dhanesh Kumar Singh the Civil Surgeon Cum Chief Medical Officer, Sheohar, Bihar.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Arvind Kumar Srivastava, Advocate
Mr. Vijay Kumar Sinha, Advocate
For the Opposite Parties : Mr. S. D. Yadav (AAG 9)
Mr. Anil Kumar Verma, AC to AAG-9

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 18-04-2026 Heard learned counsel for the petitioner and Mr. S.D. Yadav, learned AAG-9 for the State.

2. It appears from the submissions of learned counsel for the petitioner that so far as the gratuity amount of the petitioner is concerned, the same has been fully paid and to that extent, there is no dispute that the order of this Court has been complied with.

3. The grievance of the petitioner is with respect to the order passed by the Disciplinary Authority in the proceeding



under Rule 43(b) of the Bihar Pension Rules. From Annexure ‘F’ to the show cause filed on behalf of the O.P. Nos. 2 and 3, it appears that vide Memo No. 1239(2) dated 21.07.2025, 100% pension of the petitioner has been forfeited.

4. This Court is of the considered opinion that the legality of the said order contained in Memo No. 1239(2) dated 21.07.2025 cannot be gone into in the contempt proceeding.

5. The petitioner is at liberty to avail his remedy, as may be advised to him in accordance with law.

6. This application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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