

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.782 of 2024

In
Civil Writ Jurisdiction Case No.1719 of 2018

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Milan Prasad Thakur S/o-Late Satyanarain Thakur R/o- Village- Hasanpur,
P.S.- Teghra, District- Begusarai,

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Old Secretariat, Bihar, Patna namely Brajesh Mehrotra
2. The Principal Secretary, Health Department, Government of Bihar, Patna namely Pratyaya Amrit
3. The Indira Gandhi Institute of Medical Science I.G.I.M.S., Sheikhpura, Patna, through its Director, Dr. Binde Kumar
4. The Deputy Director, Dr. Manish Mandal I.G.I.M.S., Sheikhpura, Patna.
5. The Chief Administrative Officer, Suresh Kumar Yadav, I.G.I.M.S., Sheikhpura, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Tiwary, Advocate
For the State	:	Mr. S.D. Yadav, AAG-9
		Mr. Braj Bhushan Mishra, AC to AAG-9
For the IGIMS	:	Mr. Sunil Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 11-03-2026 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the IGIMS.

2. The present MJC petition has been filed for non-compliance with the order dated 31.10.2023, passed in Cr. Misc. No. 1719 of 2018.

3. Learned counsel for the petitioner submits that, in this regard, a show-cause and a supplementary show-cause have been filed. He further submits that in the show-cause the said order has not been complied with, but in the supplementary



show-cause the order passed by this Court has been complied with partially. He further submits that vide Annexure-B of the supplementary show-cause, an office order contained in Memo No. 5911, dated 10.11.2025, has been filed in which the services of the petitioner have been accepted with effect from 22.04.2009, and it was directed to make payment with effect from 22.04.2009, as well as other service benefits have been granted, subject to the decision of L.P.A. No. 1463 of 2023. He further submits that the petitioner has been in service since 14.04.1986, but his services have not been regularized from the said date, therefore, according to him, the order has not been complied with.

4. Learned counsel for the IGIMS submits that this Hon'ble Court, in paragraph 12 as well as in paragraph 13 of its order, categorically observed that the petitioner is to be reinstated with effect from 22.04.2009 and allowed to continue till an appropriate order for regularization is passed. Therefore, according to him, there is full compliance of the order.

5. In light of the submissions made above, particularly upon perusal of Annexure-B which is attached to the supplementary show-cause, the operative part of the same is as follows:-



"माननीय उच्च न्यायालय, पटना द्वारा *CWJC No. 1719/2018 (Milan Prasad Thakur vs The State of Bihar & ors)* में दिनांक 31.10.2023 को पारित आदेश के अनुपालन में पूर्व निर्गत कार्यालय आदेश सं० 433/प्रशा० दिनांक 16.02.2013 में आंशिक संशोधन करते हुए श्री मिलन प्रसाद ठाकुर की नियुक्ति ऑफिस अटेंडेंट, ग्रेड II पर दिनांक 22.04.2009 के प्रभाव से नियमित की जाती है। श्री मिलन प्रसाद ठाकुर को उक्त पद हेतु दिनांक 22.04.2009 के प्रभाव से वेतनमान एवं अन्य सेवा लाभ प्रदान करने की अनुमति दी जाती है।

माननीय उच्च न्यायालय, पटना द्वारा *CWJC No. 1719/2018 (Milan Prasad Thakur vs The State of Bihar & ors)* में दिनांक 31.10.2023 को पारित आदेश माननीय उच्च न्यायालय में दायर *LPA No. 1463/2023 (Indira Gandhi Institute of Medical Sciences, Patna vs The State of Bihar)* में पारित आदेश के फलाफल से प्रभावित होगा।

शेष सेवा शर्त कार्यालय आदेश सं० 433/ प्रशा० दिनांक 16.02.2013 के अनुसार पूर्ववत् रहेगा।"

6. It transpires to this Court that the order dated 31.10.2023 passed in CWJC No. 1719 of 2018 has been fully complied with and there is no need for any interference due to the reason that the L.P.A. is pending against the order under



contempt. Therefore, the opposite party has rightly observed in the order that the said decision shall be subject to the decision of L.P.A. No. 1463 of 2023.

7. In this view of the matter, the contempt proceeding is hereby dropped, and the present MJC petition is hereby dismissed.

(Dr. Anshuman, J.)

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