

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7116 of 2026

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Nisha Vidyarthi Daughter of Late Sri Vinay Kumar Vidyarthi, Wife of Sri Ajay Kumar Sinha, Resident of Flat No.- 203, Archna Apartment, Ramgulam Path, Boring Road Patna, P.S. Sri Krishnapuri, District-Patna- 800013.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Govt. of Bihar.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Director in Chief, Health Services, Bihar, Patna.
4. The Principal, Regional Health and Family Welfare Training Centre, Sheikhpura, Patna Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tarun Kumar Sinha, Advocate

For the Respondent/s : Mr. Advocate General

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 11-05-2026

Heard learned counsel appearing for the petitioner and
learned counsel appearing for the State.

2. Learned counsel for the petitioner submits that the
petitioner has filed the present writ petition for the following
relief/s :-

*“(i) for commanding and directing
the respondent authorities to regularize the period
when she was kept under waiting posting since
dated 24.10.2008 to dated 24.06.2009 by the
respondents.*

*(ii) For issuance of an appropriate writ
in the nature of MANDAMUS Commanding and*



directing the respondent authorities for granting two consecutive MODIFIED ASSURED CAREER PROGRESSION (hereinafter will be referred as MACPs) to the petitioner validity due to her.

(iii) For issuance of an appropriate writ in the nature of MANDAMUS Commanding and directing the respondent authorities to pay all arrears generated from the fixation of the salary of the petitioner after regularization of the waiting for posting period and after granting two MACPS.

(iv) For issuance of other relief or reliefs as may be deemed fit and proper in the interest of justice.”

3. Learned counsel for the State submits that counter affidavit may be directed to be filed.

4. This Court, upon perusal of Annexure-P/2, is of the view that there is no necessity for filing a counter affidavit. However, from the order impugned, it transpires that the Director-in-Chief, Health Services, Government of Bihar, Patna had already been directed to redress the grievances of the petitioner by passing an appropriate order. It further transpires that the petitioner has filed the present writ petition seeking a writ of mandamus, though no representation appears to have been filed before the competent authority for redressal of his grievances. Hence, this Court finds that the present writ petition is not maintainable.

5. Accordingly, the present writ petition stands dismissed.



6. However, liberty is granted to the petitioner to file a representation before the concerned authority for redressal of his grievance, if so advised.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	13.05.2026
Transmission Date	NA

