

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18792 of 2024

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Suresh Kumar Yadav S/o Shri Bhim Prasad Mahto Resident of EA 1244 ADA Colony Naini District-Allahabad, UP, PIN-211008 Presently Residing at Bugalow no. 01, IGIMS Campus Sheikhuoura-14.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The ACS, Department of Health, Govt. of Bihar, Patna.
3. The IGIMS, Patna through its Board of Governors
4. The Director, IGIMS Bailey Road, Patna.
5. The Deputy Director, IGIMS Bailey Road, Sheikhpura, Patna.
6. The Finance and Chief Accounts Officer, IGIMS, Patna.
7. The Accountant General, (Audit) Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Tiwari, Advocate
For the AG (Audit)	:	Mr. Arun Kumar Arun, Advocate
For the State	:	Mr. Sanjay Kumar, AC to GP-23
For the IGIMS	:	Mr. Sunil Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-02-2026 Heard learned counsel for the petitioner, learned counsel for the State, learned counsel for the Accountant General (Audit) and learned counsel for the IGIMS.

2. The present writ petition has been filed for the following reliefs:-

i. To hold and declare that the consolidated salary of Rs 77000/- for the post of the Chief Administrative Officer, IGIMS, Patna as agreed and ensured by the respondent no. 3 under contract cannot be



lessened unless subjected to the implicit contract in the form of order/letter of appointment;

ii. Commanding the respondent no. 2 to restrain itself to make less payment of salary as it has been withheld in part and to make full payment (of arrears) of salary from July 2024 as proposed by the IGIMS through the respondent no. 3 ex parte and consented and agreed by the petitioner to his appointment under contract to the post of the Chief Administrative Officer, IGIMS, Patna on 10.12.2020;

iii. To command the respondent no.3 to issue Experience Certificate of work with IGIMS;

iv. Other reliefs, too, which the petitioner is found deserving under the facts and circumstances emerging in course of hearing of the instant case;

3. Learned counsel for the respondents raised a preliminary objection and submits that, by virtue of the present writ petition, a request has been made for issuance of a writ of mandamus, and there is no decision, as the representation is said to be pending before the Authority.

4. Learned counsel for the petitioner, in response, submits that much time has elapsed and different events have



developed during the pendency of the present writ petition. He further submits that it is true that no decision has been taken on the petitioner’s representation, however, he submits that the case may be disposed off by granting liberty to file a fresh representation intimating all further developments.

5. In light of the submissions made above, the present writ petition stands disposed off, directing the petitioner to file a fresh representation within 30 days from today, indicating all the latest developments that have taken place with regard to the petitioner and the Director, IGIMS, Bailey Road, Patna (respondent No. 4), is hereby directed to pass an order within 90 days from the date of receipt of the representation along with a copy of this order.

(Dr. Anshuman, J.)

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