



2025:PATHC:91718

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14111 of 2025

Dr. Ashutosh Kr. Sinha S/o Basudev Narayan Prasad R/o Fatehpur Durga
Mandir, Siwan, Fatehpur Siwan, Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Finance Department, Government of Bihar.
2. Additional Chief Secretary, Health Department, Government of Bihar.
3. Civil Surgeon-Cum-Chief Medical Officer, Referral Hospital, Baniyapur, Chapra.
4. The Accountant General, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Parth Gaurav, Advocate
For the State : Mr. Sarvesh Kumar, GP-24
For the Accountant General: Mr. Binod Kumar Labh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-10-2025 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 a direction to the Respondent
authorities to first pay the entire admitted salary due
to the Petitioner and thereafter forward the
Petitioner's complete service book to the Accountant
General, Government of Bihar (Respondent No. 4) for
fixation of pension in accordance with his last drawn
salary;*

*ii. For a further direction to the Respondent
Authorities to release all consequential post-retirement
benefits due to the Petitioner, including pension,*





gratuity, leave encashment, earned leave, and arrears thereof, in accordance with law; and

iii. For any other relief or reliefs to which the petitioner may be found entitled in the facts and circumstances of the present case.”

3. Learned counsel for the petitioner seeks permission to withdraw this application to file a representation before the respondent no.2 for the redressal of his grievance.

4. It is submitted by learned counsel for the respondents that the petitioner had earlier moved this Court vide CWJC no.5560 of 2024 which was dismissed as withdrawn by order dated 12.2.2025 in the following terms:

“Heard the parties.

2. At the outset, Mr. Parth Gaurav, learned Advocate for the petitioner fairly submitted that the writ petition has not been properly drafted and, as such, he seeks permission to withdraw the same, with a liberty to file a fresh writ petition.

3. In view thereof, the present writ petition stands dismissed as withdrawn, with the liberty aforesaid.”

5. In view of the above submission made by learned counsel for the petitioner, without entering into the merits of the case of the petitioner, the case is permitted to be withdrawn with liberty to the petitioner to file a representation before the Additional Chief Secretary, Health Department, Government of Bihar (respondent no.2) for the redressal of his grievance.





6. In case a representation is filed within a period of four weeks from today, the same shall be disposed of by the respondent concerned within a period of four weeks of the date of its filing.

7. It is further observed that in case the respondents find any amount due and payable to the petitioner, the same shall be paid within three months of the passing of the order disposing of the representation.

8. The writ application stands disposed of as withdrawn with the aforesaid liberty.

(Partha Sarthy, J)

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