

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 4741 of 2023

Bhola Shankar Gupta, aged about 49 years, son of Sri Jivlal Prasad Gupta, resident of Baba Path, Hurhure, P.O. Sadar, P.S.- Sadar, District- Hazaribagh **Petitioner**

Versus

1. State of Jharkhand through the Additional Chief Secretary, Health, Medical Education and Family Welfare Department, Government of Jharkhand, Ranchi, Mission Building, H.E.C Dhurwa, P.O. & P.S.-Dhurwa, District-Ranchi;
2. Additional Chief Secretary, Health, Medical Education and Family Welfare Department, Government of Jharkhand, Ranchi, Vikash Bhavan, Doranda, P.O. & P.S-Doranda, District-Ranchi;
3. Mission Director, Jharkhand Rural Health Mission Society. Health, Medical Education and Family Welfare Department, Government of Jharkhand, Ranchi, Namkum, P.O. & PS Namkum, District-Ranchi;
4. Additional Mission Director, Jharkhand Rural Health Mission Society, Health, Medical Education and Family Welfare Department, Government of Jharkhand, Ranchi, Namkum, P.O. & P.S.-Namkum, District-Ranchi;
5. National Health Mission, Jharkhand, having its office at Namkum, P.O. & P.S-Namkum, District-Ranchi; through its Director;
6. The Deputy Commissioner, Hazaribagh, P.O.-Sadar, P.S.-Hazaribagh, District-Hazaribagh;
7. Civil Surgeon-cum-Chief Medical Officer, Hazaribagh, P.O.-Sadar, P.S. Hazaribagh, District-Hazaribagh

... .. **Respondents**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Rupesh Singh, Advocate
: Mr. Jagdeesh, Advocate
For the Respondents : Mr. Sushant Kumar, A.C. to S.C. II

05/04.03.2024

Learned counsel for the parties are present.

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

“(a) For Quashing and setting aside the order of termination of the petitioner contained in letter bearing letter no.1608(MD) dated 7.6.2021 (as contained in Annexure-4) issued by the Mission Director, Jharkhand Rural Health Mission Society, Department of Health Medical Education and Family Welfare, Government of Jharkhand, Ranchi.

(b) commanding upon the respondent authorities of the Government of Jharkhand to reinstate the petitioner into service to his post of District Accounts Manager, District Health Society (Civil Surgeon Office) Hazaribagh with effect from the date his contract was terminated vide letter no.1608(MD) dated 7.6.2021 (as contained in

Annexure 4) issued by the Mission Director, Jharkhand Rural Health Mission Society, Department of Health, Medical Education and Family Welfare, Government of Jharkhand, Ranchi, i.e. from 7.6.2021 (as contained in Annexure-4) with all consequential benefits,

(c)commanding upon the respondent authorities of the Government of Jharkhand to pay full back wages to the petitioner of the post of District Accounts Manager, Hazaribagh with effect from 7.6 2021, ie the date from which he was removed from his service in terms of the letter no.1608(MD) dated 7.6.2021 (as contained in Annexure-4) issued by the Mission Director, Jharkhand Rural Health Mission Society, Department of Health, Medical Education and Family Welfare, Government of Jharkhand, Ranchi.”

3. Learned counsel for the petitioner by referring to page 34 of the supplementary counter affidavit that a decision has been taken which is substantially in favour of the petitioner. He also submits that the said decision has been taken during the pendency of this writ petition and instead of challenging the same in the present writ petition, liberty may be reserved with the petitioner to take appropriate steps as may be advised and therefore the petitioner does not want to press the present writ petition.

4. The learned counsel for the respondents does not have any objection to the prayer made.

5. Given the submissions of the learned counsel for the petitioner this writ petition is disposed of as not pressed.

6. However, liberty is reserved with the petitioner to take steps as per law in case there is any surviving grievance arising out of the decision annexed with the supplementary counter affidavit.

(Anubha Rawat Choudhary, J.)

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