IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.914 of 2025
In
Civil Writ Jurisdiction Case No.8066 of 2023

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Ravi Prakash Son of Late Dharmendra Kumar Verma, Resident of Saroj Kunj, Transport Nagar, P.S.- Agamkuan, District- Patna.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department Sanjay Kumar, Patna.
2. The Aditya Prakash and Shambhu Sharma, Additional Secretary, Health Department, Govt. of Bihar, Patna.
3. The Kavinda Prasad Singh, Director in Chief (Pharmacy), Health Department, Govt. of Bihar, Patna.
4. The Hemant Sinha, State Drug Controller Bihar, Health Department, Govt. of Bihar, Patna.
5. The Dr. Prakash Singh, Chairman, Bihar State Pharmacy Council, B.M. Das Road, P.S.- Pirbahore, District- Patna- 800004.
6. The Ranjeet Ranjan, Registrar, Bihar State Pharmacy Council, B.M. Das Road, P.S.- Pirbahore, District- Patna- 800004.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mrs. Shilpi Keshri, Advocate
Ms. Priya Kumari, Advocate
Mr. Saurabh Keshri, Advocate
For the Opposite Party/s : Mr. Standing Counsel 18

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

15 21-08-2026 Heard Mrs. Shilpi Keshri, learned counsel for the petitioner, Mr. Prashant Sinha, learned counsel representing the Bihar State Pharmacy Council (for brevity, ‘the Council’) and Mr. Vijay Kumar Singh representing the State.

2. The present petition has been preferred for the following relief(s):

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"for initiation of contempt proceeding against the contemnors/opposite parties for their willful disobedience of the order dated 14.08.2024 passed in CWJC No. 8066 of 2023."

3. The petitioner who is a Clerk in the said 'Council' got a Writ Court's order on 14.08.2024 by which the order dated 29.01.2019 was set aside allowing the respondents to initiate full-fledged departmental proceeding against him in accordance with law. Further, the direction was to pay the salary within a period of twenty one days.

4. The voluminous affidavits filed by both the parties shows that while 'the Council' kept on making payment despite its financial constraints, the petitioner kept on coming with new demands. Neither the opposite party clarified what is the actual entitlement of the petitioner nor the petitioner threw light in this matter.

5. Mr. Prashant Sinha representing 'the Council' submits that the total entitlement is of Rs. 48,31,022/- and the entire amount has been paid.

6. Learned counsel for the petitioner submits that

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in the garb of TDS amount, the entire salary of the petitioner is being taken away for last eight months and as such, despite getting Rs. 48,31,022/-, the petitioner is facing day to day financial crisis in meeting with the needs of the family due to non payment of complete salary.

7. This Court is of the opinion that though the petitioner got around fifty lakhs, as according to him, it is not sufficient to carry out his family needs, 'the Council' should restrict itself to realize half of the salary amount till the entire amount of TDS is realized.

8. Time has come to consigned this voluminous file.

9. Having closed the matter and though this has nothing to do with the contempt, now the time has come for the petitioner as also 'the Council', to act in the matter, inasmuch as when the petitioner is getting salary since he joined the office, he has a duty to work in the office too. If he fails to act, as has been seen from the different paragraphs of 'the Council', appropriate proceedings in accordance with law be initiated against him.

10. This Court must observe that each and every

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office is now equipped with a biometric system, and when ‘the Council’ has introduced the same, the petitioner cannot cry foul that it has been introduced only to harass him.

11. With the aforesaid observation, the MJC No.914 of 2025 is disposed of.

(Rajiv Roy, J)

Adnan/-

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