

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5198 of 2015

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1. Geeta Devi wife of Hareram Sharma, resident of village- Simri Bakhtiyarpur,
Police Station- Simri Bakhtiyarpur, District- Saharsa. Petitioner/s

Versus

1. The State of Bihar through the Executive Director cum Special Secretary,
Department of Health and Family Welfare, Bihar, Patna.
2. That District Magistrate cum Chairman, District Health Society, Saharsa.
3. The Civil Surgeon, Saharsa.
4. The Civil Surgeon cum Member Secretary, Saharsa District Health Society.
5. The District Community Co-Ordinator (DCM), Health Society, Saharsa.
6. The Incharge Medical Officer cum Secretary, Primary Health Centre, Simari
Bakhtiyarpur, Saharsa.
7. That Chairman cum Ward Counselor, Wars No. 2, Nagar Panchayat, Simari
Bakhtiyarpur, Saharsa. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam
For the Respondent/s : Mr. GP19- Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 20-04-2015

Writ application is required to be dismissed for the simple reason that this Court is not required to exercise its discretion under Article 226 of the Constitution of India with regard to every kind of selections, which are not even the selection under the State on a permanent basis. The post in question is a contract for service and per case basis, incentive is given to Asha workers to encourage having safe delivery in Primary Health Centre. Such selection or non- selection does not come within the ambit of adjudication under Article 226.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

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