

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5428 of 2015

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1. Bandana Kumari, daughter of Srikant Mandal and wife of Rajesh Kumar, resident of village Jagdishpur, P.S. Jagdishpur, Distt. Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar, through the Director Health Services, 1st Floor, Vikash Bhawan, Bailey Road, Patna-15.
2. The Registrar, Bihar Nurses Registration Council, Vikash Bhawan, New Secretariat, 3rd Floor, Room No. 330A, Bailey Road, Patna- 15 (Bihar).
3. The Secretary cum Executive Director, Health Services State Health Committee, Pariwar Kalyan Bhawan Sheikhpura, Patna- 14.
4. The Regional Deputy Director, Health Services, Bhagalpur Division, Bhagalpur.
5. The District Magistrate-cum-Chairman/Civil Surgeon-cum-Member Secretary, District Health Society, Banka.
6. The Chief Medical Officer, Banka.
7. The Incharge Medical Officer, Primary Health Centre, Chandan, Banka.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Respondent/s : Mr. Ram Balak Mahto

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

4 01-07-2015

The reason for termination of the petitioner from the post of A.N. M. is due to non production of her certificate of registration in time. The petitioner could not have been selected or appointed in the very first place if she was not registered with the Bihar Nursing Registration Council. There was omission committed by the Civil Surgeon, Banka by including her in the merit list. To make thing worse, the petitioner was directed to produce registration certificate from the Bihar Nursing Council for which she demanded a month's time but did not produce any

evidence of registration before the order of termination could be passed against her. The certificate was produced only after the termination of the petitioner and now regular appointments have already been made after due selection by the Staff Selection Commission. Therefore, there cannot be any occasion to restore the petitioner to the post in question in the changed circumstance especially since her engagement was on contract as a temporary measure.

This writ application is accordingly dismissed.

(Ajay Kumar Tripathi, J)

Amin/-

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