

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9958 of 2014

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Rajeev Sharan S/o Mahavir Sharan R/o village - Pamara, P.O. - Raghapur
Bakhari, P.S. + District - Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar through Secretary, Health cum Executive Director,
State Health Society, Govt. of Bihar, Patna.
2. The District Magistrate cum Chairman, District Health Society, District -
Sheohar.
3. The District Development Commissioner, District Sheohar.
4. The District Welfare Officer, District - Sheohar.
5. The District Labour Officer, District - Sheohar.
6. Civil Surgeon cum Secretary, District Health Society, District - Sheohar.
7. Dharmendra Kumar Singh S/o Kameshwar Singh Block M & E,
Assistant cum Data Entry Operator - P.H.C. Tariyani, District - Sheohar.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Respondent/s : Mr. Sc23-Kumar Priyaranjan

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI**

ORAL ORDER

2 27-10-2016 Heard counsel for the petitioner, counsel for respondent
no.6 and the counsel for the State Health Society.

Petitioner has tried to create a hue and cry as if the
respondents have played a trick while making appointment on
contract, on the post of Assistant cum Data Entry Operator in the
district of Sheohar.

These are fixed tenure, fixed remuneration, on contract
hiring by the respondents. Though a long list was prepared of the
candidates who participated in the process but the total number of
vacancies indicated in the advertisement was only five. Those five

posts were also further reserved under different category, which is indicated in Annexure 2 annexed by the petitioner himself.

Petitioner tries to make out a case that a person, whose name did not even find place in Annexure 3, has found engagement under the respondents, therefore, whole decision seem to have been taken improperly.

Contrary to the same, the respondents in their counter affidavit have explained and given the reason for inclusion of the said candidate. After such an explanation with supporting material is offered, now the petitioner says that there is a deliberate interpolation and overwriting to accommodate the person.

The Court is not going to act like an Investigating Officer because these are more allegations made than made out.

No interference is warranted in the writ application and no relief can be granted, especially when these are not substantive post under the respondents or the State authorities but a contractual hiring.

Writ is dismissed in view of above.

(Ajay Kumar Tripathi, J)

Surendra/-

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