

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.5827 of 2013

In

Civil Writ Jurisdiction Case No. 20040 of 2012

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1. Sulekha Kumari W/O Rajeev Kumar Resident of Village Tilaya, P.O. Pathraura, P.S. Chhabilapur, District Nalanda.
 2. Kumari Mirdula Sinha W/O Rajesh Kumar Resident of Village Kishundeo Bigha, P.S. Badi Paidhana, P.S. Islampur, District Nalanda.
 3. Pratima Kumari D/O Ramnandan Prasad Resident of Village Derma, P.O. Derma, P.S. Akbarpur, District Nawada.
 4. Kumari Kabita Sinha W/O Sanjiv Prasad Sinha Resident of Village Mokilapar, P.O. Mokilapar, P.S. Hilsa, District Nalanda.
 5. Rekha Kumari W/O Ramji Prasad Singh Resident of Village Bisai Bigha, P.O. Biosai Bigha, P.S. Ekangarsari, District Nalanda.
 6. Rintu Kumari W/O Sri Vishwajeet Kumar Resident of Village Athar, P.O. Athar, District Nalanda.
 7. Anjani Kumari D/O Vidyanand Prabhakar Resident of Mohalla Maa Mangla Colony, Dandi Bagh, P.O. Chand Chaura, P.S. Civil Lines, District Gaya.
 8. Chanchala Kumari W/O Parshuram Prasad Resident of Village Usri, P.O. Bhatta, P.S. Pakribararwan, District Nawada.
 9. Kumari Pranita Sinha W/O Murlidhar Verma Resident of Village Dosut, P.O. Dosut, P.S. Bena, District Nalanda.
 10. Sulekha Kumari W/O Dharamraj Prasad Resident of Village Lekhachak, P.O. Raipur Koilbigha, P.S. Tharthari, District Nalanda.
 11. Kumari Rambha Sinha W/O Asutosh Prasad Resident of Village Jagdishpur, P.O. Nirpur, P.S. And District Nalanda.
 12. Bibha Kumari W/O Anil Kumar Singh Resident of Village Chhoti Lagma, P.O. Sivkud, P.S. Dharhara, District Munger.
 13. Khusboo Kumari W/O Bal Mukund Mahto Resident of Village Nekpur, P.O. Nekpur, P.S. Chhabilapur, District Nalanda.
 14. Sunita Kumari Deogan Prasad Resident of Village Balchnd Bigha, P.O. Ben, P.S. Shilao, District Nalanda.
 15. Rekha Kumari W/O Dharmendra Yadav Resident of Village Madapur, P.O. Mobhi, P.S. Hilsa, District Nalanda.
 16. Rubi Kumari W/O Kapiodeo Mahto Resident of Mohalla Vip Colony, P.O. Nwada, P.S. Nawda, District Nawada.
 17. Rashmita Kumari W/O Viyasnandan Sinha Resident of Village Dhamochak, P.O. Badharurpur, P.S. Rajauli, District Nawada.
 18. Maiki Kumari D/O Ramlal Manjhi Resident of Village Chainpur Topa, (Ramgarh), P.S. Mandu, District Hazaribagh.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Mr. Dipak Kumjar, Family Welfare and Health Department, Government of Bihar, Patna.
2. Mr. Dipak Kumar Principal Secretary, Family Welfare and Health Department, Government of Bihar, Patna.
3. Mr. Surendra Pd., Director, Health Services, Government of Bihar, Patna.
4. The State Health Society through Its Executive Director, Pariwar Kalyan Bhawan, Sheikhpura, District Patna.

5. Mr. Sanjay Kumar, The Executive Director, State Health Society Parivar Kalyan Bhawan, Sheikhpura, District Patna.
6. District Health Society through Its Chairman Mr. Lalan Ji, District Nawada.
7. Mr. Lalan Ji, the District Magistrate cum Chairman, District Health Society, Nawada.
8. Mr. Rameshwar Singh, the Deputy Development Commissioner Cum Deputy Chairman, Districts Health Society, Nawada.
9. Dr. Madeshwer Sharma, the Civil Surgeon Cum Member Secretary, District Health Society, Nawada.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
Mr. S.K. Bhatnagar, Advocate
For the Respondent/s : Mr. Prabhakar Jha, G.P.27

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 26-10-2016 The instant contempt application has been filed for alleged disobedience of order, dated 26.02.2013, passed in C.W.J.C. No. 20040 of 2012.

The writ application was disposed of in the following terms:

“I find force in the submission of learned counsel for the petitioners. In the instant case, admittedly no opportunity of hearing was given to the petitioners before passing the impugned order holding the selection to be bad. It appears from the enquiry report that an explanation was sought for from the appointees but it does not appear from the impugned order that the same was considered before issuing the termination order. In such circumstances, an opportunity of hearing ought to have been provided to the

petitioners to place their case that the selection was made in accordance with law.

In the circumstances, if the petitioners file a representation before the Selection Committee, it would consider the matter afresh without being prejudiced by the earlier order dated 25.9.2012. Due opportunity of hearing be provided to both sides.

It is expected that the Selection Committee would dispose of the representation within three months from the date of its receipt.

With the aforesaid liberty this writ petition is disposed of.”

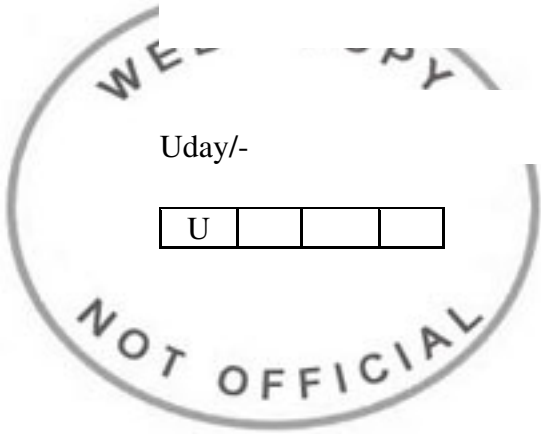
A supplementary show-cause has been filed stating that appointment letters have already been issued to all these petitioners, except one Maiki Kumari, resident of Village Chainpur Topa, (Ramgarh), P.S. Mandu, District Hazaribagh, who has not approached the authority.

Learned counsel for the State submits that if she (Maiki Kumari) approaches the authorities, the same would be considered.

Having regard to the facts and circumstances, I find that there is due compliance of the order of this Court. According, the contempt application stands disposed of.

In case, Maiki Kumari (petitioner no.18) approaches

the appointment committee, the same would be considered in accordance with law.



Uday/-

(Samarendra Pratap Singh, J.)