

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10889 of 2016

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1. Kashi Kumar Son of Late Indra Prasad Resident of Village-Bari Machhua Toli Kali Asthan, P.O.-Danapur Kantt, P.S.-Danapur, District-Patna Presently Posted as T.B. Assistant at T.B. Centre, Biharshariff, Nalanda
 2. Bahuron Baraik Son of Late Mangal Baraik Resident of Village-Krushkela Jamtoli P.O. & P.S.- Krushkela District-Simdega Jharkhand Presently Posted as T.B. Assistant at T.B. Centre, Siwan
 3. Niranian Kumar Son of Late tetar Prasad Resident of Village-Khara Tola Via Shah Alam Nagar, P.O.-Kgara, P.S.- Udakisanganj, District-Madhepura, Presently Posted as IVth Grade Employee at T.B. Centre Motihari East Champaran
 4. Dilip Kumar Son of Sri Ram Ratan Paswan resident of Chitakohara Maharpar P.S. Gardanibagh in the Town and District-Patna

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Health and Family Welfare Govt. of Bihar, Patna
2. That Director in-charge Department of Health & Family Welfare Govt. of Bihar, Patna
3. Director Tuberculosis Demonetization and Training Center Agamkuan, Patna
4. District Provident Fund Officer Biharsharif, Nalanda
5. In- Charge Officer T.B.Centre Biharshriff, Nalanda
6. District Provident Fund Officer, Siwan
7. In-Charge Officer T.B. Centre, Siwan
8. District Provident Fund Officer, East Champaran at Motihari
9. In-Chance Officer T.B. Center Motihari East Champaran
10. In-Charge Officer T.B. Center, Madhubani
11. District Provident Fund Officer, Madhubani

.... Respondents

with

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Civil Writ Jurisdiction Case No. 11848 of 2016

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1. Lalan Ram son of Late Khakhan Ram, resident of village- Berna, P.S. Deo, District- Aurangabad, presently posted as T.B. Assistant at T.B. Centre, Siwan.
2. Gopal Prasad son of Kesho Mahato, resident of village- Rahima, P.S.- Barh, District- Patna, presently posted as T.B. Assistant at T.B. Centre, Chhapara.
3. Rabinder Kumar Prasad, son of Shivjagan Ram, resident of village and P.O. Dulhinganj, P.S. Jagdishpur, District- Bhojpur presently posted as IV Grade employee at T.B. Centre, Siwan.
4. Madan Kumar, son of Sri Ram Sunder Ram, resident of village and P.O. Bhakurhar, P.S. Bairgania, District- Sitamarhi, presently posted as IV Grade employee at Additional Primary Health Centre, Purnhiya, District- Shivhar.

.... Petitioners

Versus

1. The State of Bihar through Principal Secretary, Department of Health and Family Welfare Govt. of Bihar, Patna
2. The Director in Chief, Department of Health and Family Welfare, Govt. of Bihar, Patna.



3. In-charge Officer T.B. Centre Siwan.
4. District Provident Fund Officer Siwan.
5. Incharge, T.B. Centre, Chhapra.
6. District Provident Fund Officer, Chhapara.
7. Civil Surgeon, Shivhar.
8. In-charge Medical Officer, Additional Primary Health Centre Purnhiya, District-Shivhar.
9. District Provident Fund Officer, Shivhar.

.... Respondents

with

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Civil Writ Jurisdiction Case No. 20517 of 2016

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1. Rakesh Kumar, Son of Sri Dinesh Sharma, Resident of village + P.O. Kamla Gopalpur, P.S. Maner Distt Patna Presently Posted as driver at Jaiprabha Hospital Kandarbagh, Patna
2. Narendra Kumar, Son of Ram Narayan Prasad Singh, Resident of - B Area Near Swami Vivekanand High School Meethapur, P.S. Jakkanpur in the town and District of Patna Presently Posted as Driver in the office of Superintendent Patna Medical College Hospital
3. Deelip Kumar, Son of Sri Rambali Thakur, vill. - Sultanpur (Koyaritola), P.S. Danapur, District Patna, Presently Posted as driver at T.B. Centre Agamkuan, Patna
4. Ashok Kumar Singh, Son of Sri Hari Kishore Singh, resident of village - Mahuli, P.O. Suitha, P.S. Parsa, District - Patna, Presently posted driver State T.B. Centre Agamkuan, Patna
5. Sanjay Kumar Singh, Son of Brij Nandan Prasad Chaudhary, village + P.O. Gunjarchak, P.S. Chandi, District - Nalanda, Presently Posted as Drive T - B Centre Hazipur, Distict - Vaishali
6. Majistar Manjhi, Son of Late Videshi Manjhi, resident of vill. - Sanah, P.S. Manjha Garh, Distt. - Gopalganj, Presently Posted as Driver T.B. Centre Motihari
7. Pramod Kumar, Son of Sita Ram Prasad, resident of vill. - Achhua, P.S. Dulhin Bazar, District - Patna, Pesently Posted as T.B. Attendant at Patna Dental College Hospital Bankipu, Patna

.... Petitioners

Versus

1. The State of Bihar through Principal Secretary Health Services Government of Bihar, Patna
2. The Director in Chief Health Services Government of Bihar, Patna
3. Civil Surgeon, Patna
4. District Provident Fund Officer, Patna
5. Deputy Director State T.B. Centre Agamkuan, Patna
6. Superintendent Patna Medical College Hospital, Patna
7. Principal Patna Dental College and Hospital Bankipur, Patna
8. Civil Surgeon Vaishali at Hazipur
9. District Provident Fund Officer Vaishali at Hazipur
10. In - Charge T.B. Centre Hazipur, Vaishali
11. Civil Surgeon East Champaran, Motihari
12. In - Charge T.B. Centre, Motihari
13. District Provident Officer East Champaran, Motihari

.... Respondents

with



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Civil Writ Jurisdiction Case No. 11905 of 2017

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1. Sri Bhagwan Singh S/o Sri Ramdhari Singh Resident of Village - Adampur, P.O. - Torani, P.S. - Shiv Sagar, District - Rohtas.
2. Rajesh Kumar Choudhary C/o Sri Arun Kumar Choudhary, Daughter of Mahabir Choudhary Resident of Village - Dariapur, P.S. - Hathidah, District - Patna.
3. Manoj Kumar Paswan S/o Saryug Paswan Resident of Village - Bahachauki, P.S.- Dharam, District - Munger.

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Health and Family Welfare, Govt. of Bihar, Patna.
2. The Director-in-Chief, Health Services and Family Welfare Department, Govt. of Bihar, Patna.
3. The Civil Surgeon, Rohtas.
4. The Incharge District T.B. Centre, Rohtas.
5. The Incharge, Primary Health Centre, Shivsagar, Rohtas.
6. The District Provident Fund Officer, Rohtas.
7. The Civil Surgeon, Patna Sadar, Patna.
8. The Incharge District T.B. Centre, Patna.
9. The Incharge Additional T.B. Centre, Barh, Patna.
10. The District Provident Fund Officer, Patna.
11. The Civil Surgeon, Munger.
12. The Incharge T.B. Centre, Munger.
13. The Incharge Additional Primary Health Centre, Sundarpur, Dharaha, Munger.
14. The District Provident Fund Officer, Munger.

.... Respondents

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Appearance :

(In CWJC No.10889 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Respondent/s : Mr. Sunil Kumar, AC o GP-11

(In CWJC No.11848 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Respondent/s : Mr. Manoj Kr. Ambastha, SC-26
Mr. Subodh Kumar, AC to SC-26

(In CWJC No.20517 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Respondent/s : Mr. Ramadhar Singh, GP25

(In CWJC No.11905 of 2017)

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Respondent/s : Mr. S.D. Yadav, AAG9

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 11-09-2017

Leave is granted to Mr. Sanjay Kumar, learned counsel for



the petitioners, to correct the status of respondent no.2 during the course of the day. Leave is also granted to make corrections in the status of petitioners no. 1 and 2 in C.W.J.C.No. 10889/2016 during the course of the day.

Heard learned counsel for the parties.

In all these cases the petitioners claim relief in the light of the judgment of a Co-ordinate Bench of this Court in a matter arising from C.W.J.C.No. 20654/2010 (**Raj Narayan & ors. v. the State of Bihar & ors.**).

The petitioners in this batch of four writ petitions do contend that since the benefits in terms of the judgment of this Court passed in the case of **Raj Narayan** (supra) has not been extended to these petitioners that they are before this Court but while making such complaint, they fail to satisfy whether they have invited the attention of the respondents for extending the relief.

Having heard learned counsel for the parties and considering that although the statements are present as regarding the representations being filed before the authorities concerned but not on record, I deem it proper to dispose of the four writ petitions with the liberty to the petitioners to raise their grievances before the Director-in-Chief, Department of Health, Bihar, Patna and who shall consider the respective claim of the petitioners and in case the petitioners are



found entitled to the reliefs in terms of the judgment of this Court in the case of **Raj Narayan** (supra), let necessary orders be passed accordingly. In case the respondents are not satisfied with the claim of the petitioners, the same should be disposed of by a speaking order. In either event the claim of the petitioners be disposed of in accordance with law within a period of six weeks from the date of filing of the application.

All the writ petitions are disposed of accordingly.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.09.2017
Transmission Date	NA

