

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1226 of 2015

In
Civil Writ Jurisdiction Case No. 4615 of 2015

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Bachan Lal Ram, Son of Ganesh Ram, resident of Village- Aranda, P.O. Aranda, P.S. M.H. Nagar, Hasanpura, District Siwan(Bihar), Pin Code no. 841233

.... Appellant/s

Versus

1. The State of Bihar through the Chief Minister of Bihar, Government of Bihar, Patna.
2. Director Health Department, Bihar, Patna, New Secretariat, Patna.
3. Principal Secretary Health Department, Bihar, Patna, New Secretariat, Patna.
4. District Magistrate, Siwan.
5. Civil Surgeon at Sadar Hospital Siwan.
6. District Programme Management at Sadar Hospital Siwan (Bihar)
7. Civil Surgeon Cum Member Secretary, District Health Society, Siwan.
8. Deputy Superintendent of Health Sadar Hospital at Siwan.
9. District Block of it's Health Managers at Siwan (Bihar)
10. Executive Director, the state Health Committee/Society, Siwan.
11. Sub-Divisional Hospital Maharajganj, Siwan, Bihar.
12. Executive Director of the State Health Society Bihar Patna at New Secretariat, Patna.
13. Dr. Jain video on wheels Ltd. at Place situated at Jain Studies Campus , Scandia, Villa , Sarajini Nagar Ring Road, New Delhi-110023
14. Dr. Jain video on whells ltd. 5th Floor, timer of India Building, at Place Fraser Road, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Jainendra Kumar, Advocate
For the Respondent/s : Mr. Manish Kumar Sinha, AC to GA-9
For State Health Society : Mr. K. K. Sinha, Advocate
Mr. Shashi Shekhar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 04-09-2017 Finding there to be no parity between the regular and contract employees and even contract of appointment not being between the petitioner and the State Government and the petitioner



being an employee of Dr. Jain Video on wheel Limited, a private individual, appointed as an ambulance driver, the claim of the petitioner has been rejected. As the petitioner is a contract employee, as a driver with the private owner, the jurisdiction under Article 226 of the Constitution could not be invoked in the matter. That being so, the Writ Court, in our considered view, has not committed any error in doing so warranting re-consideration.

The appeal, accordingly, is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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