

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1041 of 2014
IN
Civil Writ Jurisdiction Case No. 61 of 2014**

- =====
1. Chanda Devi Daughter of Janardan Resident of village and P.O. Paharia, P.S. Bhagawanpur, District - Kaimur
 2. Dimpal Kumari Daughter of Jeet Narain Prasad C/o Ramesh Kumar Resident of village - Bhadaria, P.S. Chainpur, District - Kaimur
 3. Snehalata Kumari Daughter of Late Ram Chandra Prasad C/o Suresh Prasad Resident of village - Bhadaria, P.S. Chainpur, District - Kaimur
 4. Neelam Kumari Daughter of Lallan Ram Resident of at and P.O. Kudara, P.S. Kudara, District Kaimur
 5. Sandhya Kumari Daughter of Gupteshwar Ram Resident of village and P.O. Bhagwanpur District Kaimur
 6. Chameli Devi Daughter of Kesho Ram Resident of village - Dhanihari, P.O. and P.S. Durgawati District Kaimur
 7. Reena Kumari Daughter of Mintu Prasad Resident of village - Goraipur, P.O. Piparian, P.S. Bhabhua, District - Kaimur
 8. Meena Devi @ Meena Kumari wife of Arjun Ram Resident of village - Barauda, P.S. RAMGARH, District - Kaimur
 9. Ful Kumari Daughter of Ram Briksh Prasad Resident of village - Bhadain Khurd, P.S. Belaon, District Kaimur
 10. Maya Kumari Daughter of Dadan Prasad Resident of village - Bhadain Khurd, P.O. and P.S. Belaon, District Kaimur
 11. Geeta Kumari Daughter of Rabindra Prasad Resident of village - Karami Chak P.O. Darauli, P.S. Bhabhua, District - Kaimur

.... Appellants

Versus

1. The State of Bihar through Principal Secretary - Cum - Commissioner to Government, Department of Health, Bihar Patna
2. The Executive Director, State Health Society Bihar Shekhpura Patna
3. The Director in Chief, Health Service, Bihar, Patna
4. The Regional Deputy Director, Health Service Patna Division Patna - Sultanganj, Patna
5. The District Magistrate - cum - Chairman, District Health Society Kaimur At and P.O. Bhabhua District Kaimur
6. The Civil Surgeon cum Secretary, District Health Society Kaimur At and P.O. Bhabhua District Kaimur Bhabhua
7. The Medical officer I/C, Primary Health Center Durgawati District - Kaimur
8. The Medical officer I/C, Primary Health Center Ramgarh District Kaimur
9. The Medical officer I/C, Primary Health Center Adhoura District Kaimur
10. The Medical officer I/C, Primary Health Center Kudara District Kaimur
11. Radhika Devi D/o Shankar Prasad resident of At & P.O. Paharia, P.S. Bhagwanpur, District Kaimur

.... Respondents

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Appearance :

For the Appellants : Mr. Arabind Nath Pandey, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI



and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)
Date: 07-04-2017

Heard counsel for the appellants.

The clear and categorical finding is that the appellants were engaged on contract on a fixed remuneration and that they have obtained such an engagement on furnishing forged registration certificates of Bihar Nurses Registration Council. This fact emerged on verification for which even a First Information Report has been instituted.

The learned single Judge in the above circumstances and keeping in view that they were not permanent appointees refused to interfere with the decision to terminate the contract.

The submission of the counsel for the appellants that a notice ought to have been given before such termination is misplaced in view of the nature of engagement and the conduct of the appellants.

They will have forum available to prove their innocence. No interference is warranted with the impugned order passed in the writ.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	08.04.2017
Transmission Date	N/A

