

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.421 of 2016

In

Civil Writ Jurisdiction Case No.16898 of 2014

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Kanchan Kumari & Ors

... .. Appellant/s

Versus

The State Of Bihar & Ors

... .. Respondent/s

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with

Letters Patent Appeal No. 429 of 2016

In

Civil Writ Jurisdiction Case No.14436 of 2015

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1. Kumari Sudha Sinha daughter of Sri Anandi Prasad Akela Resident of village and P.O. Dharhara, P.S. Silao, District - Nalanda at Biharsharif, Presently Working as Staff Nurse Grade'A', Anugrah Narayan Medical College and Hospital, Gaya, District - Gaya
2. Shobha Kumari Wife of Sri Anil Kumar Resident of village and P.O. Dhandhar, P.S. Wazirganj, District - Gaya, Presently Working as Staff Nurse Grade'A', Gautam Budha Leprosy Dispensary, Gaya, District - Gaya
3. Sudha Kumari Wife of Sri Shiv Kumar Prasad Resident of village - Mahimapur, P.O. Mathurapur, P.S. Guraru, District - Gaya, Presently Working as Staff Nurse Grade'A', Anugrah Narayan Medical College and Hospital, Gaya, District - Gaya
4. Jyoti Kumari Daughter of Sri Chhote Lal Chaudhary Resident of Mohalla - Tel Bigha, Rang Bahadurpur, Gaya, P.O. and P.S. Gaya, District - Gaya, Presently Working as Staff Nurse Grade'A', Anugrah Narayan Medical College and Hospital, Gaya, District - Gaya
5. Renu Singh Wife of Manjit Kumar Singh Resident of Lal Babu Road, Nai Godown, Gaya, P.O. and P.S. Gaya, District - Gaya Presently Working as Staff Nurse Grade'A', Gautam Budha Leprosy Dispensary, Gaya, District - Gaya
6. Rekha Sinha Wife of Sri Devendra Singh Resident of Mohalla - Patel Nagar, Harnaut, P.O. and P.S. Harnaut, District - Nalanda Presently Working as Staff Nurse Grade'A', Anugrah Narayan Medical College and Hospital, Gaya, District - Gaya
7. Indu Kumari Wife of Sri Jagat Narayan Choudhary Resident of Mohalla - South Murli Hill, Purani Mal Godown, Station Road Gaya, P.O. and P.S. Gaya, District - Gaya Presently Working as Staff Nurse Grade'A', Anugrah Narayan Medical College and Hospital, Gaya, District - Gaya
8. Veena Bharti Sinha Wife of Sri Girish Prasad Resident of village - Hari Nagar, Kharizama, P.O. Chandhari, P.S. Islampur, District - Nalanda at Biharsharif, Presently Working as Staff



Nurse Grade'A', Patna Medical College and Hospital, Patna, District - Patna

9. Pushplata Kumari daughter of Sri Babuchand Prasad Resident of Rajkiya Girls Inter Level School, Gulzarbag, P.O. and P.S. Gulzarbag, District - Patna Presently Working as Staff Nurse Grade'A', Patna Medical College and Hospital, Patna, District - Patna
10. Kumari Bindu Mala daughter of Sri Birendra Prasad Resident of village - Dariya Chak, P.O. Aungari, P.S. Ekangarsarai, District - Nalanda at Biharsharif, Presently Working as Staff Nurse Grade'A', Patna Medical College and Hospital, Patna, District - Patna

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Health Department, Government of Bihar, Patna
3. The Director - in - Chief, Health Services, Bihar, Patna
4. The Secretary, General Administration Department, Government of Bihar, Patna
5. The Joint Secretary, Health Department, Government of Bihar, Patna
6. The Joint Secretary, Health Department, Government of Bihar, Patna

... .. Respondent/s

Appearance :

(In Letters Patent Appeal No. 421 of 2016)

For the Appellants : Mr. S.B.K.Mangalam, Advocate
Mrs. Anita Kumari, Advocate
For the Respondents : Mr. N.P.Yadav, SC-23
Mr. Ranvijay Singh, AC to SC-23

(In Letters Patent Appeal No. 429 of 2016)

For the Appellants : Mr. S.B.K.Mangalam, Advocate
Mrs. Anita Kumari, Advocate
For the Respondents : Mr. Kameshwar Kumar, GP-17
Mr. S.K.Ranjan, AC to GP-17

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

4 23-01-2018 Heard counsel for the appellants and counsel for the State.

Since the issues raised in the present appeals has also been dealt with by a coordinate Bench in L.P.A. No. 277 of 2016 and rejected on 13.01.2017 and even a review application, which



was Civil Review No.24 of 2017, was dismissed on 15.05.2017, there cannot be a contrary view on the issue whether the Staff Nurses working on contract basis can be given the same benefits as a regular State Government employee.

Since the answer is in the negative, the rationale and reasoning, which has been provided by the Division Bench in L.P.A. No. 277 of 2016, also covers the case of the present appellants.

Appeals have no merit. They are accordingly dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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