

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8032 of 2015

1. Shanti Devi Wife of Binod Kumar Sah. Resident of Village - Malin, P.S.- Lalmaniya, District - Madhubani.
2. Usha Devi. Wife of Vijay Shankar Prasad. Resident of Village - Lokha, P.S.- Lokha, District - Madhubani.
3. Bibha Sinha. Wife of Mahesh Prasad Mandal. Resident of Village - Sudar Birajit, P.S.- Madhepur, District - Madhubani.
4. Punita Kumari. Wife of Bhola Prasad. Resident of village - Phulparas, P.S.- Phulparas, District - Madhubani.
5. Babita Kumari. Daughter of Sri Yogendra Yadav. Resident of village - Mahdeva, P.O.- Jageshwar Sthan, P.S.- Goghardiha, District - Madhubani.
6. Sushila Kumari. Wife of Madhurendra Kumar Mahto. Resident of village - Lahwan, P.S.- Madhepur, District - Madhubani.
7. Punam Devi. Wife of Baidyanath Yadav. Resident of village - Harari, P.S.- Andhrathadhi, District - Madhubani.
8. Rina Kumari. Wife of Krit Narayan Paswan. Resident of Village - Bassipati, P.S.- Madhepur, District - Madhubani.
9. Kaushalya Kumari. Daughter of Lakeshwar Yadav. Resident of village - Bochahi, P.S.- Madhepur, District - Madhubani.
10. Rukmani Devi. Wife of Om Prakash Mahto. Resident of village - Adity, P.S.- Madhepur, District - Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, ICDS, Bihar, Patna.
3. The Child Development Project Officer, Madhubani.
4. The Nutrition Monitoring Unit, State Society for ultrapoor and Social Welfare Social Welfare Depart

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand
For the Respondent/s : Mr.Gp 18 Vivek Prasad

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-06-2019 Heard counsel for the petitioners and counsel for the
respondents-State.

Petitioners have approached this court since their



contractual engagement as Uddipika was cancelled.

Respondents have placed on record development during the pendency of the instant proceedings placing reliance of the judgment of this court dated 10.05.2017 passed in CWJC no. 13292/2016. This court in the said case has considered entire aspect of implementation of Sector Wide Approach to Strengthening Health (SWASTH) scheme sponsored by the Department of International Development, United Kingdom by which NIRAKSHAN was integral part. Having regard to the stand taken by the Union of India as well as State Government in the said proceedings, court has arrived at conclusion that the fund received till December, 2016 and January, 2017 have already been utilized and that fund position is NIL in January,2017. The scheme has ended and, therefore, continuation of petitioners to execute the scheme can not be allowed.

Having regard to the nature of the appointment of the petitioners being purely contractual, claim of other similarly situated has been rejected under the said order by this court on 10.05.2017 in the background of the fact taken in hereinabove.

Petitioners were also engaged as Uddipika contractually for execution of the same scheme. In the



circumstance they can not be granted any relief as scheme has ended and fund of implementation of the said scheme has already been utilized by the Government.

Writ petition is dismissed.

(Madhuresh Prasad, J)

s.hassan/-

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