

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4699 of 2016

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Mrs. Archana Kumari W/o Yswant Kumar Singh, R/o Ministerial Qtr. No. 13,
Court compound, Near Customs Office, District - Purnea - 854301.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Secretary, Department of Social Welfare, Govt. of Bihar.
3. The Director, I.C.D.S, Patna Bihar.
4. The District Magistrate, District - Purnea, Bihar.
5. The Secretary, Social Welfare - cum - Executive Committee SSUPSW,
Patna, Bihar.
6. The District Programme Officer, District - Purnea, Bihar.
7. The District Programme Manager, JIWKA, District - Purnea.
8. The Secretary, Deepalaya, District - Purnea.
9. The C.D.P.O., Block - Sri Nagar, District - Purnea.
10. Sushma Kumari, W/o Manish Kumar, C/o Gajendra Prasad, R/o Rampur
Tilak, Post - Rajpura Tilak P.S. - Janki Nagar, District - Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Respondent/s : Mr.SC24 S.K.Mandal

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-06-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Petitioner has approached this court since her 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 petitioner to execute the scheme can not be allowed.

Having regard to the nature of the appointment of the petitioner 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.

Petitioner was also engaged as Uddipika contractually for execution of the same scheme. In the circumstance she 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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