

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.582 of 2019

Arising out of

Civil Writ Jurisdiction Case No.1502 of 2014

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1. Hari Shankar Rai Son of Late Kapildeo Rai Resident of Village - Sher, P.S. - Sidhwalia, District - Gopalganj
 2. Harendra Sah Son of Ragho Sah @ Thakur Sah Resident of Village- Bishunpura Bazar, P.S.- Sidhwalia, District- Gopalganj
 3. Bhimleshwar Tiwari Son of Late Nagendra Ram Tiwari Resident of Village- Gausia, P.S.- Manjhagarh, District- Gopalganj
 4. Birendra Ojha Son of Late Parshuram Ojha Resident of Village- Koini, P.S.- Manjhagarh, District- Gopalganj
 5. Vikarma Mahto Son of Late Teka Mahto Resident of Village- Bhaisahi, P.S.- Sidhwalia, District- Gopalganj
 6. Shambhu Manjhi Son of Late Mangal Manjhi Resident of Village- Pathra, P.S.- Manjhagarh, District- Gopalganj
 7. Ram Bilash Prasad Son of Late Deo Narayan Prasad Resident of Village- Manjha Purani Bazar, P.S.- Manjhagarh, District- Gopalganj
 8. Banka Bhagat Son of Late Ramrup Bhagat Resident of Village- Sheikh Parsa, P.S.- Manjhagarh, District- Gopalganj
 9. Chhotelal Manjhi Son of Late Bageshwar Manjhi Resident of Village- Gausia, P.S.- Manjhagarh, District- Gopalganj
 10. Awadhesh Mahto Son of Ram Naresh Mahto Resident of Village- Langatu Hatta, P.S.- Manjhagarh, District- Gopalganj
 11. Ganesh Prasad Son of Mankeshwar Prasad Resident of Village- Suda Sah ke Tola Manjha, P.S. Manjhagarh, District- Gopalganj
 12. Ram Narayan Sah Son of Late Bhola Sah Resident of Village- Gausia, P.S.- Manjhagarh, District- Gopalganj
 13. Sanjay Kumar Son of Late Ramprit Ram Resident of Village- Koini, P.S.- Manjhagarh, District- Gopalganj
 14. Satyadeo Manjhi Son of Late Suraj Manjhi Resident of Village- Dangasi, P.S.- Sidhwalia, Dist- Gopalganj

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. Sanjay Kumar, Son of not known, Principal Secretary, Health and Medical Education, Government of Bihar, New Secretariat Patna
3. Dr. R.D. Ranjan, Son of not known, The Director in Chief Health Services, Department of Health and Medical Education, Government of Bihar, Patna
4. Dr. M.P. Sharma, Son of not known, The Additional Director, cum Chief Malaria Officer, Swastha Bhawan, Sultanganj, Patna
5. Narvadeshwar La, Son of not known, The Commissioner, Saran Division,



Saran

6. Animesh Kumar Prasad, Son of not known, The District Magistrate, Gopalganj
7. Dr. A.K. Chaudhary, Son of not known, Civil Surgeon cum Chief Medical Officer, Gopalganj, District- Gopalganj
8. Dr. Chandrika Sah, Son of not known, The District Malaria Officer, Gopalganj, Distt- Gopalganj
9. Ashok Kumar Nagvanshi, Son of not known, The District Welfare Officer, Gopalganj, Distt- Gopalganj
10. Dr. T.N. Singh, Son of not known, The Incharge Medical Officer, Primary Health Centre, Barauli, Distt- Gopalganj
11. Dr. Sajid Nazmi, Son of not known, The Incharge Medical Officer, Primary Health Centre, Manjhagarh, Distt.- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akhilesh Kumar, Advocate
For the State	:	Mr. Ajay Behari Sinha, GA 8 with Mr. Neeraj Raj, AC to GA 8

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 07-08-2019

Heard learned counsel for the petitioners and learned AC to AAG 8 for the State.

2. The present application has been filed alleging non-compliance of order dated 05.11.2014 passed in CWJC No. 1502 of 2014.

3. By the said order, the District Magistrate, Gopalganj was directed to prepare a panel of such persons along with daily wagers for making appointments under the respondents and the claim of the petitioners were also to be examined in accordance with the relevant evidence and material available with the



petitioners and the respondent authorities with regard to their engagement. In terms of the said order, in the show cause filed on behalf of the District Magistrate, Gopalganj, copy of order dated 21.08.2018 of the District Appointment Committee has been brought on record in which the District Appointment Committee has considered the case of the petitioners and has rejected their claim, *inter alia* on the basis of them not fulfilling the minimum criteria of having worked for 240 days in a year for five years.

4. In such view of the matter, the order having been complied with, nothing further remains.

5. Accordingly, the application stands disposed off.

6. However, it shall be open to the petitioners to assail the order of the District Appointment Committee headed by the District Magistrate, Gopalganj dated 21.08.2018 before the appropriate forum, in accordance with law.

(Ahsanuddin Amanullah, J)

Anjani/-

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