

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7614 of 2015

1. Nibha Kumari Nilu wife of Binod Kumar, resident of Village P.S. Block-Gamhariya, District- Madhepura.
2. Supriya Kumari, wife of Satrugan Kumar Yadav, resident of Village-Baihari, Block and P.S.- Singheshwar, District- Madhepura.
3. Baby Kumari, wife of Hareram Kumar, resident of Village- Mohanpur, Panchayat- Bardaha, P.S.- Ghailadh, District- Madhepura.
4. Anita Kumari, daughter of Deo Narain Yadav, resident of Village and P.O.- Parmanandpur, P.S.- Srinagar, Block- Kumarkhand, District- Madhepura.
5. Krishna Kumari, wife of Pankaj Kumar, resident of Village Panchayat Chausa West, P.S. Block- Chausa, District- Madhepura.
6. Prakriti, wife of Rupesh Kumar, resident of Village Panchayat- Tulsiya, P.S. and Block- Bihariganj, District- Madhepura.
7. Sunita Kumari, wife of Navin Kumar Rai, resident of Village- Machaba-Khara, Panchayat- Sakarpura- Betona, Block, P.S. and District- Madhepura.
8. Babita Bharti, wife of Ajay Kumar, resident of Village- Chiknautwa, Panchayat- Chitti, P.S. Block- Ghailadh, District- Madhepura.
9. Ranju Kumari, wife of Nawal Kishore Gupta, resident of Village and P.O.- Kherho, Panchayat- Aurai, P.S and Block- Puraini, District- Madhepura.
10. Sangita Devi, wife of Sanjay Kumar Singh, resident of Village- Ganeshpur Diara, Panchayat- Ganeshpur, P.O., Block and P.S.- Puraini, District- Madhepura.
11. Prema Kumari, wife of Sanjay Kumar Pandit, resident of Village, P.O., Panchayat, Block and P.S.- Puraini District- Madhepura.
12. Minu Kumari, wife of Paras Kumar, resident of Village, P.O. and Panchayat-Bansh Gopal, Block P.S.- Puraini, District- Madhepura.
13. Khushbu Kumari, wife of Sanjay Kumar Suman, resident of Village, P.O. and Panchayat- Gangapur, P.S.- Ki. Ratwara, Block- Alamnagar, District- Madhepura.
14. Punam Kumari, wife of Ratan Kumar Singh, resident of Village- Laxminiya, Panchayat, Singhar, Block and P.S.- Alamnagar, District- Madhepura.
15. Neelam Kumari, wife of Rupesh Yadav, resident of Village- Tetari Wasa, Panchayat- Ghosai, Block and P.S.- Chousa, District-Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Social Welfare Department-cum-Chairman, Executive Committee, S.S.U.P.S.W., Bihar, Patna
3. The Project Director, N.M.U.-cum-Director, I.C.D.S., Department of Social Welfare, Bihar, Patna.
4. The District Program Officer-cum-District Project Director, I.C.D.S.,



- Department of Social Welfare,
5. The Child Development Project Officer-cum-Assistant Project Director,
Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Respondent/s : Mr.GP1- Rajiv Roy
Mr. Suresh Kumar, AC to GP 1

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-06-2019 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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