

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6409 of 2019

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1. Ashlam Azad, male, aged about 32 years, Son of Md. Halim, Resident of Village-Murthan, P.O.-Parmanandpur, P.S.-Sonepur, District-Saran
 2. Manoj Prasad, male, aged about 45 years, Son of Manegar Prasad, Resident of Village-Chausa, P.O.-Dabooli, P.S.-Panapur, District-Saran
 3. Shivsagar Mahto, male, aged about 37 years, Son of Late Diplal Mahto, Resident of Village-Kothiya, P.O.-Sakkadi, P.S.-Jalalpur, District-Saran
 4. Upendra Singh, male, aged about 47 years, Son of Kalika Singh, Resident of Village-P.O.-Jaithar, P.S.-Taraiya, District-Saran
 5. Rama Kant Singh, male, aged about 41 years, Son of Shambhu Nath Singh, Resident of Village-Prabhunath Nagar Chapra, District-Saran
 6. Vijay Kumar, male, aged about 24 years, Son of Satyanarayan Prasad, Resident of Chatradhari Bazar, Bhagwan Chapra, District-Saran
 7. Umesh Kumar Yadav, male, aged about 38 years, S/o Shatya Narayan Ray, Resident of Village-Murthan, P.S.-Parmanand Pur, District-Saran
 8. Rajesh Kumar Ram, male, aged about 39 years, Son of Krishna Nath Ram, Resident of Village-P.O.-Rewadi, P.S.-Kopa District-Saran
 9. Abhishek Raj, male, aged about 29 years, Son of Nitya Nand Singh, Resident of Village-P.O.-Basdila, P.S.-Jalalpur, District-Saran
 10. Bhikhari Manjhi, male, aged about 50 years, Son of Janardan Manjhi, Resident of Village-Rampur Noornagar, P.S.-Jalalpur, District-Saran

... .. Petitioner/s

Versus

1. The State of Bihar through the principal Secretary Department of Health, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Director of Health Services, Government of Bihar, Patna.
4. The Chief Executive Officer, State Health Society, Shejhpura, Patna.
5. The Collector-Cum-District Magistrate, Saran at Chapra.
6. The Civil Surgeon-Cum-Secretary, District Health Society, Saran at Chapra.
7. The Incharge Medical Officers of the Concerned Hospitals, where the Petitioner are posting/working
8. The Hospital Managers of the concerned Hospitals, where the Petitioners are posting/working

... .. Respondent/s

Appearance :



For the Petitioner/s : Mr. Viveka Nand Singh, Adv.
For the Respondent/s : Mr. Ramadhar Singh (GP25)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT
Date : 23-04-2019

The petitioners, who are ten (10) in number, have been engaged as Ambulance Drivers in different hospitals under the direction of the Civil Surgeon-Cum-Secretary, District Health Society, Saran at Chapra. Ever since their engagement as Ambulance Drivers, despite work being taken from them, they have not been paid their remuneration.

2. During the process of rendering their services as Ambulance Drivers, they were also accorded skill certificates by the In-Charge Medical Officer and as an evidence of their having worked, a statement has been made in the writ petition that they have marked their attendance on daily basis since their engagement.

3. If work is being taken from the petitioners, they ought to be paid for the same. Any delay in the payment of remuneration can be attributed to the concerned respondents and for which the concerned respondent shall be



held to be liable.

4. The representation of some of the petitioners also has gone totally unheeded.

5. Under the aforesaid circumstances, the petitioners are directed to make a fresh representation before the Civil Surgeon-Cum-Secretary, District Health Society, Saran at Chapra (respondent No. 6), indicating that they have not been paid their remunerations since 2015, within a period of four weeks from today, who, on receipt of such representation, shall look into the matter and shall pass a reasoned order in accordance with law within a further period of six weeks thereafter. If the claim of the petitioners are found to be tenable, *i.e.*, if they have worked from 2015, necessary orders for payment of their remuneration be passed within the aforesaid stipulated period.

6. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	27.04.2019
Transmission Date	N/A

