

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5338 of 2019

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Nirmala Devi, aged about 45 years (Female), Wife of Bhola Singh @ Bhola Prasad Singh, Resident of Village- Punama Pratap Nagar, Tola Korchakka, P.S.- Naugachia, District- Bhagalpur, currently working as Voluntary Worker (Midwife), Sub-Divisional Hospital, Naugachia, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Ist Floor, Vikash Bhawan, Bailey Road, Patna-800015.
2. Director in Chief (Administration), Health Services, Government of Bihar, New Secretariat, Patna.
3. Divisional Commissioner, Bhagalpur Division, Bhagalpur.
4. Regional Development Officer, Bhagalpur Division, Bhagalpur.
5. District Magistrate, Bhagalpur, District- Bhagalpur.
6. Civil Surgeon cum Chief Medical Officer, Bhagalpur, District- Bhagalpur.
7. In Charge Medical Officer, Primary Health Centre, Naugachia, Sub-Division Naugachia, District- Bhagalpur.
8. In Charge Deputy Superintendent, Sub-Divisional Hospital, Naugachia, Sub-Division Naugachia, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.
For the Respondent/s : Mr. Rajeshwar Singh (GA-10)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 09-04-2019

The petitioner, who is a Voluntary Worker



(Midwife), has approached this Court for a direction to the authorities concerned for regularizing her services.

2. It is the case of the petitioner that she has been working as a Voluntary Worker (Midwife) since 2005 and is presently stationed at Sub-Divisional Hospital, Naugachia against a vacant sanctioned post. It is the further case of the petitioner that she has the requisite qualification and experience. Looking at her experience, qualification and availability of the sanctioned post, the Civil Surgeon-Cum-Chief Medical Officer, Bhagalpur, has also recommended the case of the petitioner for the needful. It was also pointed out to this Court that for the last 14 years, the petitioner has been working and contributing to the Midwifery in the Hospital wherever she was posted and has been getting salary only by way of monthly honorarium.

3. The learned counsel for the petitioner has submitted that if there is any policy of the State for regularizing the services of such Midwives, the petitioner ought to be considered for the same. In the absence of any such decision of the Government, at least the petitioner



ought to be told/informed that regularization of service is not possible. In either of the case, her representation cannot go unheeded, more so when it was recommended by the authorities concerned.

4. Under the aforesaid circumstances, this Court deems it appropriate to permit the petitioner to make a representation before the Civil Surgeon-Cum-Chief Medical Officer, Bhagalpur (respondent No. 6), detailing her grievances, within a period of four weeks from today, who, on receipt of such representation, shall dispose it off by a reasoned order, after verifying all facts as well as policy of the Government, within a further period of six weeks thereafter.

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

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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