

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7522 of 2017**

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1. Archana Sinha, D/o Taneshwar Prasad, Resident of Village- Karauta, Salimpur, Police Station- Bakhtiarpur, District- Patna.
  2. Punam Kumari, D/o Sikandar Prasad, Resident of Village- Manik Bigha, Police Station- Dhanarua, District- Patna.
  3. Kundan Kumari, W/o Rajiv Rai, Resident of Village- Matihani, Police Station- Matihari, District- Begusarai.
  4. Nutan Mala, D/o Om Prakash Goswami, Resident of Village- Sri Nagar, Police Station- Masaurhi, District- Patna.
  5. Archana Kumari, D/o Anup Sao, Resident of Village-Bharat Road, Mokama, Police Station- Mokama, District- Patna.
  6. Rubi Kumari, W/o Manish Kumar Mishra, Resident of Village- Itaha, P.s.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Director-in- Chief Nursing, Health Services, Bihar, Patna.
4. The Director-in-Chief, Health Services-cum- Director Loknayak Jai Prakash Narayan Hospital, Rajbanshi Nagar, Patna.
5. The Executive Director, State Health Committee, Bihar Parivar Kalyan Bhawan, Sheikhpura, Patna- 14.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Smt. Nivedita Nirvikar, Advocate<br>Mr. Punit Kumar, Advocate<br>Mr. Rohan Sudarshan, Advocate |
| For the State        | : | Mr. Kamlesh Kishore, A.C. to S.C.-12.                                                          |

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

**ORAL JUDGMENT**

**Date : 20-09-2019**

A counter affidavit has been filed on behalf of the Director-in-Chief (Nursing), Health Services, Bihar, Patna, in compliance of the last order dated 02.09.2019.



2. It has been stated in the counter affidavit that the Department has completed the process of selection and appointment of ANMs on regular basis, for various hospitals in the State of Bihar.

3. In the order dated 02.09.2019, I had already observed that this Court cannot direct the State Government to appoint the petitioners on contractual basis as they did not have any enforceable legal right to claim.

4. Learned counsel appearing on behalf of the petitioners, has, however, submitted that since the petitioners have worked for long on contractual basis, a sympathetic view may be taken by this Court and necessary directions may be issued to the State Government for consideration of their cases.

5. The said submission, however, cannot be accepted by this Court. It goes without saying that the petitioners may claim benefits on the basis of experience of services, which they have acquired, while working on contractual basis, in the matter of regular appointment in future.

6. This writ application stands disposed of.

**(Chakradhari Sharan Singh, J)**

S.Ali/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | N.A.       |
| Uploading Date    | 23/09/2019 |
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