

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22999 of 2019

1. Dinesh Kumar Tiwary, Son of S.K. Tiwary, Accounts Manager, Sadar Block-Buxar, C/o- Uma Shankar Mishra, Ward No. 15, Shivpuri, P.S.- Buxar (T), District- Buxar.
2. Faizanul Haque, Block Accounts Manager, Nawanagar, Resident of Mohalla- Gulistan, Isapur Road, New Islamia B.Ed College, P.S.- Phulwarishariff, Patna
3. Pawan Kumar, Son of Jiwan Prashad, Block Accounts Manager, Chaugain, Resident of Bypass Road, Kali Mandir, Kairpurwa, P.S.- Buxar (T), District- Buxar.
4. Kamalesh Roy, Son of Hridya Narayan Roy, Block Accounts Manager, Simari, Resident of Village- Ekauna, P.S.- Simari, District- Buxar.
5. Pavan Kumar, son of Prabhunath Singh, Block Accounts Manager, Itarhi, Resident of D-105, Police Colony, Anisabad, P.S. Gardanibag, District- patna.
6. Chandan Kumar Bhardwaj, Son of Satyanand Bhushan, Block Accounts Manager, PHC, Chausa, Resident of - Mithapur B Area, P.S.- Jakkanpura, District- Patna.
7. Harendra Ram, son of Late Satan Ram, Block Accounts Manager, Rajpur, Resident of Village- Fazilpur, P.S. Hussainganj, District- Siwan.
8. Avinash Kumar Bharti, son of Ranglal Ram, Block Accounts Manager, Brahmpur, Resident of Karman Tola, Mahadev Prasad Ki Gali, Nanda Flour Mill, P.S. and District- Ara (Bhojpur), Bihar- 802301.
9. Raju Ranjan Pathak, Son of Rajgrihi Pathak, Block Accounts Manager, Chakki, Resident of Maharaja Hata, P.S.- Buxar Town, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. The Secretary, Health - Cum- Chief Executive Officer, State Health Society, Bihar, Patna.
3. The Executive Director, State Health Society, Bihar National Health Mission, Health Department, Government of Bihar, Patna.
4. The District Magistrate, Buxar.
5. The District Magistrate-Cum-Chairman, District Health Society, Buxar.
6. The Civil Surgeon-Cum-Secretary, District Health Society, Buxar.
7. The Deputy Development Commissioner- Cum- Deputy Chairman, Buxar.
8. The Additional Chief Medical Officer, Buxar.
9. The District Welfare Officer, Buxar.
10. The District Programme Officer, Buxar.
11. The District Health Service Society, Buxar.



12. Harish Sahay, S/o Late Mithileshwar Pd. Sinha, R/o Shivratan Bhavan,
Hospital Road, P.S.- Buxar (T), Buxar.

... .. Respondent/s

Appearance :

For the Petitioners : Mr. Ranjeet Kumar, Advocate
Mr. Nirbhay Prashant, Advocate
For State Health Society : Mr. K.K. Sinha, Advocate
Mr. Shashi Shekhar, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioners and the
learned counsel appearing for the State Health Society.

The petitioners seek to challenge the order dated
27.09.2019, by which order the petitioners apprehend that they
will be dislodged from their respective posts of Accountants in
the District Health Society, Buxar.

Learned counsel for the petitioners submits that the
present petitioners have been selected as Accountants and have
been functioning on their respective posts from the year 2007
and now after a span of more than 12 years, they have been
sought to be disturbed as would appears from the present order.
He thus submits that this Court may issue necessary directions
restraining the respondents from disturbing the present
petitioners from the posts they are functioning and have been
drawing their salary.

Learned counsel appearing on behalf of the State



Health Society, however, submits that the petitioners have not yet been disturbed so as to warrant interference by this Court and their application is based on pure apprehension and is rather premature.

Considering the aforementioned facts and circumstances and after considering all the aspects, including the terms of the advertisement, this Court is not likely to entertain this writ application. It is, accordingly, dismissed.

It is needless to say that if at all the Society considers dislodging the present petitioners, they shall be given due notice and after following the principles of natural justice alone shall any order be taken in their presence.

(Anjana Mishra, J)

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