

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7967 of 2020**

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1. Vikash Kumar Son of Umesh Prasad, resident of Road No. 2, House No. 69, Rajput Nagar, Hajipur.
2. Sindhu Shah, Son of Mahavir Prasad Singh, resident of Ahmapur, Shikanjpur, Lakhni Bidupur.
3. Amresh Kumar, Son of Brahmdev Singh, resident of Khajabata Chgakshikandar Bidupur.
4. Sulekha Kumari, daughter of Ram Janam Rai, resident of Rahaha East Bhagwanpur.
5. Priyanka Kumari, resident of Rusulpur, Manikpur Bhandorhan
6. Chandni Kumari daughter of Umesh Shah, resident of Ismailpur Vaishali.
7. Raj Kumar Rajak, Son of Tarkeshwar Nath Rajak, resident of Phulwariya Mahua.
8. Dhiraj Kumar Singh, Son of Suresh Prasad Singh, resident of Bishanpur, Kanhaili Mahua.
9. Suraj Kumar, Son of Umesh Sah, resident of Bagmusha Hajipur.
10. Sumit Kumar, Son of Balendra Thakur, resident of Chamahra, Mahnar Road (R.S.) Vaishali.
11. Shahin Sultana, daughter of Md. Shahnawaj Khan resident of Salimabad Phulhara, Azra Hajipur.
12. Umesh Kumar, Son of Shankar Rai, resident of Dighi Kala West Hajipur.
13. Anpurna Kumari, daughter of Ashok Gupta, resident of Gai Ghat Dakchani Gali Khara Kuwa, Patna.
14. Avinash Kumar Chandra Son of Mahavir Singh, Dighi Kala East Hajipur.
15. Himanshu Kumar Swaraj Son of Birendra Kumar Singh, Bhagwatpur Vaishali.
16. Sanjeev Kumar Gupta, Son of Late Om Prakash Gupta, resident of Jandaha, Vaishali.
17. Ranjay Kumar Thakur, Son of Nand Lal Thakur, resident of Kharika Deshari, Bidhupr.
18. Rahul Kumar Chaudhary, Son of Ashok Chaudhary, resident of Agarpur Lalganj, Vaishali.
19. Sanju Kumari daughter of Shashi Kapor, resident of Ramashish Chowk, Hajipur.
20. Rajesh Kumar, Son of Ramishwar Sharma, resident of Mahua Road, Koyla Mohan, Raghunathpur Imadpur, Vaishali.
21. Shivam Kumar, Son of Bhuneshwar Prasad Sah, resident of Daud Nagar, Vaishali.
22. Binay Kumar, Son of Sachida Nand Prasad, Sacida Nand Prasad, resident of Bankmens Colony, Yusufpur, Hajipur.



23. Shashi Kumar, Son of Shri Rishi Ram Singh, resident of Prataptand Bhagwanpur.
24. Chandan Kumar, Son of Late Bhawati Prasad Srivastava, resident of Premganj Lalganj, Vaishali.
25. Animesh Kumar, Son of Bhupendra Prasad Singh, resident of Karhari Bhagwanpur.
26. Santosh Kumar, Son of Raj Karan Singh, resident of Mathura Sultanpur Pachkatiya.
27. Sundarjeet Kumar, Son of Jaganath Sah, resident of Benipatti, Pirapur Mathura.
28. Seema Kumari, daughter of Umesh Roy, resident of Jadhua Radyopur, Jhirua.
29. Ravi Kant, Son of Inderjeet Prasad, resident of Sahajadpur Ander Quila Hajipur.
30. Nitesh Kumar, Son of Umesh Prasad Ray, resident of Kajipatti Mohanpur.
31. Naveen Kumar, Son of Mahindra Ray, resident of Jagdeshpur, Mohanpur Raghapur.
32. Ashok Kumar, Son of Late Jagdev Singh, resident of Khajiwatta Mohanpur.
33. Ajay Kumar, Son of Rambabu Singh, resident of Kartahan Lalganj Bhatauli Bhagwan.
34. Priya Ranjan Kumar, Son of Damodar Singh, resident of Chandpura Saidawad, Bidhipur.
35. Aditya Kumar Thakur, Son of Jagnnath Thakur, resident of Bankmen's Colony, Hajipur.
36. Shrawan Kumar, Son of Harilal Sah, resident of Sonar Toli, Daudnagar.
37. Rubi Kumari, daughter of Awadhesh Kumar Ray, resident of Bhikhanpur Desri.
38. Deepak Kumar, Son of Jaleshwar Prasad Sah, resident of Mommadpur, Muradpur, Vaishali.
39. Santosh Kumar, Son of Prabhu Nath Thakur, resident of Taiyabpur, Via - Manpur, Desri.
40. Vikashesh Kumar, Son of Vijay Kumar, resident of Rahimapur, Vaishali.
41. Dinesh Kumar, Son of Laxman Prasad, resident of Dumari Taraiya Saran.
42. Lalbabu Kumar, Son of Sudhan Ram, resident of Chakalhad Alahbad, Vaishali.
43. Manoj Kumar, Son of Sambhu Sah, resident of Vaishali, Bihar.
44. Tarakant Kumar, Son of Upendra Sah, resident of Keswa Tola, Daudnagar.
45. Vikash Kumar, Son of Niteshwar Thakur, resident of Abdul Hasanpur, Vaishali.
46. Rakesh Kumar, Son of Subedar Das, resident of Sahdei Buzurg Desri.
47. Dilip Kumar, Son of Ratnesh Jha, resident of Sumki Patepur.
48. Subodh Kumar Ram, Son of Rameshwar Ram, resident of Madhol Mahua.



49. Navin Kumar, Son of Ramu Prasad Ray, resident of Rajapakar Banghara.
50. Rajeev Kumar Rajak, Son of Tarkeshwar Nath Rajak, resident of Phulwariya Mahua.
51. Pankaj Kumar, Son of Visharnath Ray, resident of Nayaganj Sonar Toli Desri.
52. Varun Kumar, Son of Braj Mohan Roy, resident of Mahua Vaishali.
53. Dhiraj Kumar, Son of Rambabu Das, resident of Rajapakar, Banghara.
54. Vikas Kumar, Son of Parsanath Thakur, resident of Taiyabpur, Via- Mahnar, Desri.
55. Deepak Kumar, Son of Ram Charitra Rajak, resident of Khadari Chak, Vaishali.
56. Uday Kumar, Son of Ashok Ray, resident of Baikuntapura, Rajapakar.
57. Smit Kumar, Son of Santosh Kumar, resident of Patekha Jayram, Vaishali.
58. Seema Kumari, daughter of Vimal Kumar, resident of Manpura, Vaishali.
59. Nandan Kumar, Son of Saroj Kumar Singh, resident of Bhawanpur, Karhari.
60. Abhijeet Prakash, Son of Vidya Ratan Kumar, resident of Khatajangi Baghmali, Hajipur.
61. Sunil Kumar, Son of Sambhu Nath Prasad, resident of Pramanand Chhapra Saran.
62. Vinay Kumar, Son of Pahaldi Ray, resident of Rasulpur, Vaishali.
63. Kumar Shaswat, Son of Ajaya Nand Singh, resident of Harlochanpur, Sukki Patepur.
64. Navin Kumar, Son of Naujelal Ray, resident of Singh Ray Mahua.
65. Pintu Kumar, Son of Chandeshwar Rai, resident of Singh Ray Mahua.
66. Chandan Kumar, Son of Manoj Kumar Singh, resident of Karhari, Vaishali.
67. Mritunjay Kumar Raushan, Son of Arun Thakur, resident of Pakri Bhairampur Deodhi, Vaishali.
68. Abhishek Kushwaha, Son of Yougendra Singh, resident of Minapur, Hajipur.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary Health Department, Government of Bihar.
2. The Executive director, State Health Society, Patna, Government of Bihar.
3. The District Magistrate-cum-Chairman District Health Society, Vaishali at Hazipur.
4. The Civil Surgeon-cum-Secretary, Health Society, Vaishali at Hajipur.
5. The Managing Director, Urmila International Pvt. Ltd., 31/07, 1st Floor Banke Bihari Sadak, S.K. Puri, Boring Road, Patna.

... .. Respondents



**Appearance :**

For the Petitioners : Mr. Ranjan Kumar Srivastava, Advocate  
For the Respondent State: Mr. Ajay Behari Sinha, G.A.  
Mr. Upendra Kumar Singh, AC to GP-8  
For the Respondent No.2 : Mr. K.K.Sinha, Advocate  
For the Respondent No. 5 : Mr. Rajesh Ranjan, Advocate  
Mr. Atul Shankar, Advocate  
Ms. Maria Nazir, Advocate

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

ORAL ORDER

7      12-03-2021                      Learned representing the State Health Society, Bihar, has brought to this Court's notice an order dated 21.01.2021 passed in C.W.J.C. No. 7250 of 2020 to submit that in a matter involving identical controversy, this Court has refused to interfere, since the petitioners of that case were found to have been engaged by a private agency.

This is not in dispute that this case involved identical dispute.

The petitioners are seeking a direction to allow the petitioners to continue their service as Data Operators for the Society as they had been working as such for last 7-8 years in different primary health centres. The fact remains that they were not directly appointed/engaged by the Society, which is the 'State' within the meaning of Article 12 of the Constitution of India. They were, rather, engaged by Info System & Solutions and subsequently by Urmila International Services Pvt. Ltd.

Considering the facts and circumstances, this



application is disposed of with the same observation as  
contained in the order dated 21.01.2021 passed in C.W.J.C. No.  
7250 of 2020.

**(Chakradhari Sharan Singh, J)**

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