

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17632 of 2009

Umesh Kumar, Son of late Sheodhari Singh, Resident of Village-Satyamacha, P.O. Bhasar, P.S.- Sadar (Sitamarhi), District- Sitamarhi.

... .. 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, Health Services, Government of Bihar, Patna.
4. The Regional Deputy Director, Health Services, Darbhanga Division, Darbhanga.
5. The Civil Surgeon – cum- Chief Medical Officer, Madhubani, Bihar.
6. The Incharge Medical Officer, Ghoghardiha, P.S.- Ghoghardiha, District-Madhubani, Bihar.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 17635 of 2009

Manoj Kumar Singh, Son of Sri Ram Sagar Singh, Resident of Village-Rampur Parori, P.S.- Sitamarhi Sadar, District- Sitamarhi.

... .. 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, Health Services, Government of Bihar, Patna.
4. The Regional Deputy Director, Health Services, Darbhanga Division, Darbhanga.
5. The Civil Surgeon – cum- Chief Medical Officer, Madhubani, Bihar.
6. The Incharge Medical Officer, Ghoghardiha, P.S.- Ghoghardiha, District-Madhubani, Bihar.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 17632 of 2009)

For the Petitioner/s : Mr. Avinash Kumar Singh, Advocate

For the Respondent/s : Mr. Manish Kumar GP8

(In Civil Writ Jurisdiction Case No. 17635 of 2009)

For the Petitioner/s : Mr. Avinash Kumar Singh, Advocate

For the Respondent/s : Mr. SC-3

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 09-12-2021

Heard learned counsels for the respective parties.

2. In these two writ petitions, the petitioners stated to have been appointed on Ad-hoc basis and their services have been



terminated, which was subject matter of the litigation before this Court.

3. In a bunch of petitions, this Court decided on 26.06.2006, in which the petitioners' name were reflected at serial nos. 330 and 445 respectively.

4. Before passing impugned order at Annexure-5, the petitioners have not been provided opportunity of hearing as to whether they are entitled to continue in the post followed by regularization in terms of the LPA decision dated 26.06.2006. Therefore, the impugned orders dated 26.06.2001 and 24.05.2001 at Annexure-5 in both the petitions stand set aside, so far as petitioners are concerned.

5. The concerned respondent is hereby directed to issue a detailed show-cause notice as to why their services cannot be terminated and so also they are not entitled for their regularization.

6. On receipt of a detailed show-cause notice, the petitioners are hereby directed to submit their explanations within two months from the date of receipt of show-cause notice. On receipt of petitioners' explanation to the show-cause notice to be submitted, the competent authority is hereby directed to pass speaking order on due consideration of the contentions to be raised by the petitioners in the reply to the show-cause notice.



7. The above exercise shall be completed within a period of four months from the date of receipt of this order.
8. Both the petitions stand disposed of.

(P. B. Bajanthri, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.12.2021
Transmission Date	NA

