

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6615 of 2021

1. Dilip Kumar Son of Late Jagdish Ram Resident of Village- Nardih, P.O.- Amrath, P.S. and District- Jamui.
2. Chandra Mohan Gupta Son of Sri Bindeshwar Sah Resident of Village and P.O.- Mahesha Farakpur, P.S.- Runisaidpur, District- Sitamarhi.
3. Amrendra Kumar Son of Nawal Kishore Singh Resident of Village and P.O.- Karjan, P.S.- Athmalgola, District- Patna.
4. Sanjay Kumar Arya Son of Sri Surendra Prasad Arya Resident of Village, P.O. and P.S.- Basantpur, District- Siwan.
5. Sanjay Kumar Chaurasia Son of Late Saty Narayan Prasad Resident of Village- Gandhi Nagar, P.O., P.S. and District- Khagaria.
6. Chetan Sharma Son of Pawan Kumar Sharma Resident of Mohalla- Mill Road, P.O., P.S. and District- Khagaria.
7. Ashok Kumar Son of Kameshwar Prasad Singh Resident of Village- Sundarpur, P.O.- Bahachowki, P.S.- Dharhara, District- Munger.
8. Sushil Kumar Mishra Gauri Shankar Mishra Resident of Mohalla- Jawahar Tola, P.O.- H.P.O., Arrah, P.S.- Nawada Arrah, District- Bhojpur.
9. Suraj Kumar Son of Brahmdeo Prasad Resident of Village- Kailashpuri, Purwi Shahpur, P.O.- Kacchuaara, P.S.- Gopalpur, District- Sheikhpura.
10. Shrawan Kumar Paswan Son of Kesho Paswan Resident of Village- Faridpur, P.O.- Audhe, P.S. and District- Sheikhpura.
11. Abhishek Kumar Laloo Ram Resident of Village- Kumharar, P.O. and P.S.- Agamkuan, District- Patna.
12. Bibhuti Kumar Halder Son of Sri Bimal Kumar Halder Resident of Village- Sheikhpura, Chandni Chowk, P.O., P.S. and District- Sheikhpura.
13. Upendra Das Son of Late Ram Bilas Das Resident of Village and P.O.- Shafapur, P.S.- Nayagaon, District- Begusarai.
14. Vijay Kumar Son of Sri Raj Kumar Prasad Resident of Village- Marpasauna, P.O., P.S. and District- Sheikhpura.
15. Jayant Kumar Son of Prem Chand Mishra Resident of Mohalla- Raipatti, P.O. and P.S.- Dighwara, District- Saran.
16. Dhanranjan Kishore Singh Son of Sri Visheshwawr Singh Resident of Village and P.O.- Ishmela, P.S.- Dighwara, District- Saran.
17. Kamlesh Kumar Son of Ramavtaar Pandit Resident of Village- Ekma Bhajheli, P.O. and P.S.- Emka, District- Saran.
18. Vijay Kumar Dwivedi Son of Sri Ramakant Dwevidi Resident of Mohalla- VIP Lane, Bhagwan Bazar, P.O. and P.S.- Bhagwan Bazar, District- Chapra at Saran.
19. Amit Kumar Son of Sri Kamakhya Prasad Resident of Village- Salempur, Chapra, Near Kachahari, P.O.- Chapra, P.S.- Town Thana Chapra, District- Saran.
20. Pushpendra Kumar Piyush Surendra Sharma Resident of Village- Amnour



Kalyan, P.O. and P.S.- Amnour, District- Saran.

21. Suraj Kumar Jaiswal Son of Sushil Kumar Jaiswal Resident of Village- Ashpatal Chowk, Chapra, Saran, P.O. and P.S. Bhagwan Bazar, District- Saran at Chapra.
22. Upendra Kumar Son of Rameshwar Prasad Resident of Village- Khalpura, P.O.- Baghakol, P.S.- Maker, District- Saran.
23. Santosh Kumar Gupta Son of Sri Narendra Kumar Gupta Resident of Village, P.O. and P.S.- Bhagwan Bazar, District- Saran.
24. Anish Gunakar Son of Sri Shambhu Kamlakar Mishra Resident of Mohalla- Mauna Baanganj, P.O.- Chapra, P.S.- Town Thana, District- Saran.
25. Arvind Kumar Ram Son of Sri Ranglal Ram Resident of Village and P.O.- Hashulahi, P.S.- Kopa, District- Saran at Chapra.
26. Jainarayan Son of Late Rambilash Paswan Resident of Village- Tenduni, P.O. and P.S.- Mali, District- Aurangabad, Bihar.
27. Anil Kumar Gupta Son of Sri Om Prakash Gupta Resident of Village- Sahebganj, Sonarpatti, P.O.- Sahebganj (Pradhan Post Office), P.S.- Town, District- Chapra.
28. Banti Kumar Rajak Son of Late Kanhaiya Jee Rajak Resident of Village- Dr. Mahmood Chowk Dahiyawan (Rajak Niwash), P.O.- Chapra, P.S.- Town, District- Saran at Chapra.
29. Rajnish Kumar Son of Fanindra Bhushan Singh Resident of Mohalla- Panchshil Nagar, P.O. and P.S.- Barh, District- Patna.
30. Rajesh Kumar Son of Sri Jagdish Prasad Singh Resident of Mohalla- Chitragupta Nagar, Kankarbagh, P.O.- Lohianagar, P.S.- Patrakar Nagar, District- Patna.
31. Anil Kumar Son of Late Muneshwar Prasad Sinha Resident of Mohalla- Ratanpura Kot Devi Mandir Road, (Behind N.P. Verma House) Garhitir, Chapra, P.O. and P.S.- Bhagwan Bazar, District- Saran at Chapra.
32. Sanjay Kumar Giri Son of Late Paras Nath Giri Resident of Village- Musehari, P.O.- Kailgarh, P.S.- Baraharia, District- Siwan.
33. Mukesh Kumar Ojha Son of Hareram Ojha Resident of Village- Lachhpur, P.O.- Ratanpur, P.S.- Gopalpur, District- Gopalganj.
34. Devdas Aman Son of Late Sudarshan Ram Resident of Village and P.O.- Sarsar, P.S.- Siwan (Main), District- Siwan.
35. Umesh Kumar Son of Ramchandra Prasad Resident of Village and P.O.- Barkagaon, P.S.- O.P. Thana Sarai Siwan, District- Siwan.
36. Akhilesh Kumar Son of Laxman Prasad Das Resident of Village- Birniya, P.O.- Sonedeeep, P.S.- Bhawanipur, District- Purnea.
37. Rakesh Kr. Tiwari Son of Ravindra Tiwari Resident of Village- Karpaliya, P.O.- Mustafabad, P.S.- Urdu Mustafabad, District- Siwan.
38. Md. Monajir Ahsan Son of Late Abdul Hadi Resident of Village and P.O.- Ninga, P.S.- Barauni, District- Begusarai.
39. Amit Kumar Pathak Son of Late Om Prakash Pathak Resident of Village- Sahebganj Butan, P.O.- Sahebganj, P.S.- Town Thana, District- Chapra.
40. Ajitabh Pandey Son of Shivvansh Pandey Resident of Mohalla- State Bank



- Colony, Bichala Telpar, P.O.- Bichala Telpar (Chapra), P.S.- Town Thana, District- Chapra.
41. Rajnish Ranjan Son of Uday Kumar Resident of Village- Badi Badalpur, P.O.- Khagaul, P.S.- Khagaul, Danapur, Bari Khagaul, District- Patna.
 42. Manish Kumar Das Son of Late Madhusudan Das Resident of Mohalla- Adarsh Colony, Jhajha, P.O. and P.S.- Jhajha, District- Jamui.
 43. Rajesh Prasad Son of Sri Baiju Prasad Resident of Village and P.O.- Janakpur Road, P.S.- Pupri, District- Sitamarhi.
 44. Dharambir Mandal Son of Late Shankar Mandal Resident of Village- Kadarganj, P.O. and P.S.- Haweli Kharagpur, District- Munger.
 45. Awdhesh Kumar Singh Son of Sri Manohar Singh Resident of Village- Abhaypur, P.O.- Dumarkala, P.S. and District- Jamui.
 46. Rajesh Kumar Son of Sri Nand Kishore Prasad Resident of Village, P.O. and P.S.- Jhajha, Purani Bazar, District- Jamui.
 47. Jagdish Yadav Son of Sri Rameshwar Yadav Resident of Village- Ghoraparan, P.O. and P.S.- Simultala, District- Jamui.
 48. Ajay Kumar Gupta Son of Sri Om Prakash Gupta Resident of Village, P.O. and P.S.- Jhajha, District- Jamui.
 49. Pawan Kumar Son of Sri Babulal Yadav Resident of Village- Navkadih, P.O.- Gaura, P.S.- Laxmipur, District- Jamui.
 50. Nilesh Kumar Son of Late Srinath Prajapati Resident of Mohalla- Budhnagar, Postalparks, P.O.- G.P.O., P.S.- Kankarbagh, District- Patna.
 51. Dilip Kumar Son of Sri Ramavtaar Singh Resident of Village- Donvari, P.O.- Teghra, P.S.- Babubarhi, District- Madhubani.
 52. Arun Kumar Son of Late Deoki Rajak Resident of Mohalla- Amrudi Gali, Arya Kumar Road, P.O. and P.S.- Kadamkuan, District- Patna.
 53. Rajeev Kumar Srivastava Son of Jai Prakash Lal Resident of Village- Gareri Tola, Katihar, P.O., P.S. and District- Katihar.
 54. Sripathi Nath Son of Late Satya Narayan Prasad Arya Resident of Mohalla- Naya Bazar, Pachna Road, Masjid Gali, Ward No.-16, District- Lakhisarai.
 55. Ajay Kumar Singh Son of Vijay Bahadur Singh Resident of Village- Kharouni, P.O.- Belouna, P.S.- Behea, District- Bhojpur.
 56. Rahul Kumar Son of Ramchandra Tanti Resident of Village, P.O. and P.S.- Barahiya, Ward No. 18, District- Lakhisarai.
 57. Vinit Kumar Son of Shambhu Sharan Jha Resident of Village- Cheriya Bariyarpur, P.O.- Siripur, District- Begusarai.
 58. Anshu Kumari Daughter of Sri Pappu Kumar Resident of Village- Lelin Nagar, Rajgir, P.S.- Rajgir, District- Nalanda.
 59. Kumar Ritesh Son of Daywant Singh Resident of Village, P.O. and P.S.- Jagdishpur, District- Bhojpur.
 60. Shweta Kumari Daughter of Awadhesh Singh Resident of Village- Mainki, P.O. and P.S.- Gararwa, District- Saran.
 61. Brajesh Kumar Singh Son of Sri Vishwanath Singh Resident of Village- North Dahiyawa Tola, P.O.- Chapra (Sahebganj), P.S.- Town Thana, District- Saran, Chapra.



62. Naina Wife of Sri Sanjay Kumar Resident of Village, P.O.- Bhimpur, P.S.- Barhariya, District- Siwan.
63. Mukesh Kumar Singh Son of Vishwanath Prasad Singh Resident of Village and P.O.- Bhorha, District- Saran.
64. Dharendra Lal Gami Son of Fani Lal Gami Resident of Village- Gami Tola, Ward No. 28, P.O. and District- Katihar.
65. Ritesh Kumar Son of Ram Narayan Ray Resident of Village- Varma Nagar, D.S. College Road, Katihar, P.O. and P.S. and District- Katihar.
66. Dipak Kumar Gupta Son of Late Suresh Chandra Gupta Resident of Village- Shyamgarh Hat Kantiya, P.O.- Sonaili, P.S.- Kedwa, District- Katihar.
67. Anil Kumar Son of Satyanarayan Ram Resident of Mohalla- Durga Asthan, Colony, No. 1, P.O. and District- Katihar.
68. Santosh Kumar Paswan Son of Nand Kishor Paswan Resident of Mohalla- Lal Kothi Road, Near Bethel Mission, Katihar, P.O. and P.S. and District- Katihar.
69. Prabhat Kumar Son of Parmanand Shah Resident of Village and P.O.- Pawai, P.S.- Kodha, District- Katihar.
70. Nawal Kishore Roy Son of Shri Rameshwar Roy Resident of Mohalla- Lal Kothi Road, Near Law College, Katihar, P.O. and P.S. and District- Katihar.
71. Animesh Kumar Son of Sri Ramanand Sah Resident of Mohalla- Ward No. 28, Gami Tola, P.O. and P.S. and District- Katihar.
72. Vikash Kumar Sah Son of Dilip Kumar Sah Resident of Village- Sonaili Bazar, P.O.- Sonaili, P.S. and District- Katihar.
73. Jay Shankar Prasad Sah Son of Baidyanath Prasad Sah Resident of Mohalla- Shani Mandir Road, Pokharia, Gulabbagh, East Purnea, P.S.- Gulabbagh, District- Purnea.
74. Punil Rajak Son of Late Ganga Rajak Resident of Mohalla- Khalifabagh, D.N. Singh Road, P.O.- Bari Dakghar, Bhagalpur, P.S.- Kotwali, District- Bhagalpur.
75. Ashok Kumar Paul Son of Radhe Paul Resident of Mohalla- Moffar Ganj, Gareri Tola, Katihar, P.O. and P.S. and District- Katihar.
76. Uday Kumar Son of Rajaram Prasad Near east of Shiv Mahal, Mounabanganj, P.O.- Sahebganj, P.S.- Town Thana, District- Chapra at Saran.
77. Satya Prakash Son of Dayanand Gupta Resident of Village- Anathalaya Road, Katihar, P.O., P.S. and District- Katihar.
78. Pawan Kumar Son of Sri Vikash Prasad Jaiswal Resident of Village and P.O.- Balthimaheshpur, P.S.- Kursela, District- Katihar.
79. Amit Kumar Singh Son of Jai Narayan Singh Resident of Village- Pipra, P.O.- Karhariya, P.S.- Bath, District- Bhagalpur.
80. Manoj Kumar Son of Sri Gajadhar Prasad Resident of Village- Chapra, Gandhi Chowk New Colony, P.O.- Sahebganj, Chapra, P.S.- Chapra, District- Saran at Chapra.

... .. Petitioner/s



Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. The State Health Society Bihar through its Administrative Officer, State Kalyan Bhawan, Sheikhpura.
3. The Secretary Health cum Chief Executive Officer, State Health Society, Bihar, Kalyan Bhawan, Sheikhpura.
4. The Executive Director cum Special Secretary Health, State Health Society, Bihar.
5. The Civil Surgeon-cum- Member Secretary District Health Society.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Advocate
For the Respondent/s : Mr. Lalit Kishore (AG)
For the Respondent no. 4: Mr. Kishore Kumar Sinha, Advocate

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

Date : 07-02-2022

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

State counsel accepts notice for respondent nos. 1 and 2 so and so counsel for respondent nos. 3 to 5 Society.

Petitioner counsel is hereby directed to furnish a copy of the present petition.

In the instant petition petitioner has prayed for the following reliefs:-

“(i) To issue an appropriate writ, order, direction in the nature of mandamus commanding the respondents to regularise the services of the petitioners to the post of Block Account Manager/First Referral Unit Accountant (FRU) in the District Health Society situated in different districts within the State of Bihar from their date of appointment against posts of accountants sanctioned through memo no. 942 dated 28.12.2018 and memo no. 162 dated 10.05.2018.

(ii). To issue an appropriate writ, order, direction in the nature of mandamus commanding the respondents to grant weightage/ preference to the petitioners in the selection of Lower Divisional Clerks/ Accountants in the Health



Department against the 618 posts duly approved by the Cabinet and sanctioned vide memo no. 942 dated 28.12.2018 and memo no. 162 dated 10.05.2018.

(iii). To any other relief for which the petitioners appear to be found entitled by the Hon’ble Court.”

In support of the above reliefs the petitioners have already approached the concerned respondent. In submitting the detailed representations which are at Annexure 13 and 13 A dated 08.07.2020. Therefore, the concerned 4th respondent is hereby directed to examine service particulars of each of the petitioner and proceed to consider judicial pronouncement like *State of Karnataka V. Uma Devi reported in (2006)4 SCC page 1 passed in CWJC No. 16 of 2021 read with the Full Bench decision in Case of Ram Sevak Yadav & Another Vs. The State of Bihar & Others reported in 2013(1) PLJR 964 passed in CWJC No. 267 & 472 of 2010* and any policy decision of the State Government for the purpose of regularisation of petitioners services in the post of Block Account Manager/ First Referral Unit Accountant (for short FRU) in the District Health Society situated in different District within the State of Bihar. With reference to their initial appointment to the post of Accountants.

In this regard necessary speaking order shall be passed and communicated to each of the petitioners within a period of six months from the date of receipt of this order.

With the above observation, the petition stands disposed of.

(P. B. Bajanthri, J)

khushbu/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

