

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11077 of 2022

Dr. Chandra Mani Kumar & Ors.

... .. Petitioners

Versus

The State of Bihar & Ors.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Brisketu Sharan Pandey, Adv.
For the State	:	Mr. Ravi Kumar, AC to GP-13 with Mr. Akshay Lala Kumar, AC to GP-13

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

7 16-11-2022 Heard learned senior counsel for the petitioner and
learned counsel for the State.

The only issue is whether the petitioners by virtue of having discharged duties on contract as Doctor during the COVID-19 pandemic under an agreement limited for one(1) year, they can now claim that a writ should be issued directing for their appointment on contractual basis, since vacancies exists.

The learned senior counsel for the petitioner submits that the petitioners are entitled to weightage for the duties discharged in the contractual period from 10.05.2021 to 09.05.2022 in terms of the **Bihar Health Service (Appointment and Service Conditions) (Amendment) Rule 2019** as per letter dated 30.04.2021 as contained in Annexure-



P/2 to the writ petition issued by the Department to the Accountant General.

From bare reading of Annexure- P/2 it is apparent that the same is not relevant to this case, since the petitioners' in the instant writ proceedings, are seeking issuance of a directions for their continuance on contractual basis, since vacancies exists. The clause relied upon by the learned senior counsel on the other hand talks of giving weightage for the work done, during regular appointment process. It is not the petitioners case that regular appointment process has been initiated at present, wherein they can claim weightage.

Thus, no case is made out for issuance of any direction/s in a writ proceedings.

Accordingly, the writ petition is dismissed.

(Madhuresh Prasad, J)

Raj kishore/-

U			
---	--	--	--

