

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16115 of 2021

1. Satyanarayan Ram Son of Ramchandra Ram Resident of Village- Khesrahi, Police Station- Patepur, District- Vaishali.
2. Keshav Paswan Son of Late Binda Paswan Resident of Village- Rasalpur, Jilani, Police Station- Desari, District- Vaishali.
3. Shivji Paswan Son of Late Pyare Paswan Resident of Village- Virpur, Police Station- Jurawanpur, District- Vaishali.
4. Satyanarayan Paswan Son of Late Pradeep Paswan Resident of Village- Vishanpur, Police Station- Jandaha, District- Vaishali.
5. Shivchandra Ram Son of Late Dayali Ram Resident of Village- Jagdishpur, Police Station- Jandaha, District- Vaishali.
6. Umesh Ram Son of Late Tetar Ram Resident of Village- Pirapur, Police Station- Jandaha, District- Vaishali.
7. Uma Shankar Kumar Nirala Son of Vindeshwar Bhagat Resident of Village- Mustphapur, Police Station- Vindupur, District- Vaishali.
8. Shankar Paswan Son of Late Jagdish Paswan Resident of Village- Paharpur, Police Station- Mahnar, District- Vaishali.
9. Jay Narayan Paswan Son of Late Jamuna Paswan Resident of Village- Bhatauli Bhagwan, Police Station- Kartahan, District- Vaishali.
10. Dinesh Paswan Son of Bipat Paswan Resident of Village- Mathura, Police Station- Vidupur, District- Vaishali.
11. Asha Devi Wife of Rameshwar Prasad Sah Resident of Village- Taraiya, Police Station- Taraiya, District- Saran.
12. Mahipat Paswan Son of Late Raghunandan Paswan Resident of Village- Arma, Police Station- Patepur, District- Vaishali.
13. Dinesh Ram Son of Yogendar Ram Resident of Village- Sahpur Bujurag, Police Station- Patepur, District- Vaishali.
14. Rukmeeni Kumari Wife of Awdhesh Sah Resident of Village- Wafapur Sharma, Police Station- Lalganj, District- Vaishali.
15. Menka Sinha @ Menka Wife of Uma Shankar Sinha Resident of Village- Kharuaara, Police Station- Harnaut, District- Nalanda.
16. Sangita Kumari Wife of Surendra Prasad Maurya Resident of Village- Raitar, Police Station- Giriyak, District- Nalanda.
17. Sunita Prasad Wife of Kamlesh Prasad Resident of Village- Mobarakpur, Police Station- Ben, District- Nalanda.
18. Shiv Kumar Das Son of Late Jugeshwar Das Resident of Village- Jagdishpur, Police Station- Jandaha, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Additional Chief Secretary, Department of Health, Government of Bihar, Patna.



4. The Director-in-Chief, Health Services (Diseases Control, Public Health, Para- Medicals), Bihar, Patna.
5. The Director, Mass Education, Bihar, Patna.
6. The Principal, Patna Medical College and Hospital, Patna Ashok Rajpath, Patna.
7. The Superintendent, Patna Medical College and Hospital, Patna Ashok Rajpath, Patna.
8. The Director in Chief, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the State : Mr.Birju Prasad (GP-13)
Mr. Ajit Anand, AC to GP-13

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 11-05-2022

Heard learned counsels for the parties.

In the instant petition, petitioners have prayed for following reliefs:-

“1. That this is an application for issuance of a writ in the nature of mandamus for commanding and directing the respondent-authorities to accept the Joining of the petitioner in view of the recommendations made by the Director-in-Chief Health Services, Bihar, Patna as contain in letter no. 16.09.2020, 18.05.2021 and subsequent letter dated 11.08.2021 to the Superintendent, Patna Medical College and Hospital (hereinafter referred to as “PMCH”) and to pay the due salary w.e.f the date of their initial recommendation and further the petitioners pray for a direction to take action against the Superintendent, PMCH for nonfeasance on his part and his indifferent attitude and misbehaviour to the petitioners as the recommendation has been made in compliance of the order of the Hon’ble Supreme Court in SLP (Civil) CC No. 32079 of 2015, and the petitioners further pray for issuance of an appropriate writ/order/direction for which they may be found legally entitled to in the facts and



circumstance stated hereinabove.”

On 06.04.2022 following order was passed:

“Heard learned counsel for the parties.

Learned counsel for the petitioners is hereby directed to delete respondent Nos. 1, 2 and 3 who are not necessary and proper parties. On account of misjoinder of parties, he is hereby directed to delete during the course of the day.

State counsel accepts notice for remaining respondent Nos. 4 to 8.

7th respondent – The Superintendent, Patna Medical College and Hospital, Ashok Rajpath, Patna is hereby directed to file an affidavit as to why order of appointment has not been issued to the petitioner pursuant to their selection to the Class IV post, further recommendation in terms of Annexure 10 dated 16.09.2020. Such affidavit be filed before the next date of hearing.

Re-list this case on 11.05.2022.”

Concerned respondents have filed counter affidavit in which it is stated that petitioners have been extended relief sought in the present petition on 07.05.2022. In view of later development, present petition do not survive for consideration. Accordingly, the present petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	16.05.2022
Transmission Date	

