

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1956 of 2021

1. Rahul Srivastava Son of Shri Harish Chandra Srivastava Resident of E-205, Rajkishori complex, Mool Chand Path, Bahadurpur, Gumti, Patna (Bihar)- 800020.
2. Mukesh Kumar Son of Shri Mithilesh Prasad Resident of Niriaya, Tulsipur, Chiksaura, Block Carai, Parsurai, Hilsa, Nalanda (Bihar) - 801302.
3. Syed Kaifi Ali Son of Syed Ali Mohammad Moghalpura, Foujdari Kuan, Patna city, (Bihar) - 800008.
4. Rashmi Kumari Daughter of Arvind Kumar singh Sant Nagar, Gangjala, Ward No. 15, Block Kahra, Post and District Saharsa (Bihar)- 852201.
5. Gopal Kumar Goutam Son of Shri Jay Kant Sharma Resident of Village Thera, Post office Jalalpur, Warisaliganj, Nawada (Bihar) - 805130.
6. Abhijeet Kumar Sinha Son of Shri Ashok Kumar Sinha Resident of Bhanwar Pokhar, Near Devi Asthan, Patna (Bihar) - 800004.
7. Bhawna Kumari Wife of Shri Anshu Resident of Aarogya Sewa, Near Hundai Showroom, Ran Talab, Bhagalpur, (Bihar) - 813210.
8. Asif Iqbal Son of Shri Iqbal Ahmed Resident of Ghat Rsikpur, Near Imambara, Dudhani, Post Office Dumka, District Jharkhand - 814101.
9. Sanjay Kumar Singh Son of Shri Manbhushan Singh Resident of Village Jalampur, Post Office Bihpur, District Bhagalpur (Bihar) - 853201.
10. Deepak Kumar Son of Shri Ramjatan Prasad Resident of Naya Gaon, Danka, Imli, Shersha Road, Post office Gulzarbagh, Patna (Bihar) - 800007.
11. Law Nanak Sah Son of Shri Vijay Kumar Sah Resident of Daharak, Post Office Ramgarh, District Kaimur (Bihar) - 821110.
12. Vinay Kumar Son of Ram Vriksh Prasad Resident of Shanti Sadan, Naya tola, Kumahrar, Post office- Bhadurpur, Patna (Bihar) - 800026.

... .. Petitioner/s

Versus

1. Union of India through Joint Secretary Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi.
2. State of Bihar through its Secretary, Medical and Health Department, Govt. of Bihar.
3. MD, National Health Mission, Bihar.
4. Director/ State Program Officer (TB) Patna, Bihar.
5. Executive Director State HEALTH Society, Bihar.
6. Director, Intermediate Reference Laboratories, TBDC Building, AGamkuan, Patna, Bihar- 800007.
7. Director/Medical Superintendent Culture and DST MDR TB Lab, Department of Microbiology Indra Gandhi Institute of Medical Science, Raza Bazar, Sheikhpura, Patna, Bihar 800014.
8. Director/ Medical Superintendent Tuberculosis Culture and DST Lab



Department of Microbiology Jawahar Lal Nehru Medical college and Hospital, Maya Ganj, Bhagalpur Bihar, 812001.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar, Advocate
For the State : Mr. Rajeshwar Singh, GA 10
For the Union of India : Dr. K.N. Singh, ASG

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

Date : 25-01-2022

This matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 Pandemic.

In the instant petition, petitioners have prayed for the following relief(s):-

“(a) For issuance of appropriate writ to quash the impugned action/order and there upon resulting consequence of respondents by which the respondents tried to replace the petitioners with another set of contractual employees through service provider agency where the petitioners have employee of respondent department.

(b) That further pass any other order/orders, direction/directions which the Hon’ble Court think fit and proper in the facts and circumstances of this case.”

The present petition is speculative in nature. On presumption the present petition is filed in absence of material information that the respondents are likely to replace the petitioners in engaging contract employees through service provider.



Accordingly, the present petition stands dismissed as premature reserving liberty to the petitioners to file petition as and when cause of action accrued to them.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

