

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1510 of 2023

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1. Abha Kumari Wife of Sri Sandeep Kumar Resident of Village- Bharatganj, Post and P.S.- Barbigha, District- Shekhpura.
 2. Sweta Kumari, Wife of Sri Navnish Kumar Resident of Village- Issua, Post- Pawapuri, P.S.- Giriyak, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Govt. of Bihar, Patna.
2. Principal Secretary, Health Department, Govt. of Bihar, Patna.
3. Deputy Secretary, Health Department, Govt. of Bihar, Patna.
4. Director-in-Chief, Health, Bihar, Patna.
5. District Magistrate, Shekhpura.
6. Executive Director, State Health Society, Bihar, Patna.
7. Civil Surgeon cum Chief Medical Officer, Shekhpura.
8. In-Charge Medical Officer, Referral Hospital Barbigha, District- Shekhpura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad, Sr. Advocate Mr. Ritesh Kumar, Advocate Mr. Pramod Kumar, Advocate Mr. Dharendra Kumar, Advocate
For the Respondent/s	:	Mr. Chandra Shekhar Singh, AC to GA-10 Mr. K.K. Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 6 27-07-2023 1. Heard learned senior counsel for the petitioners and learned State counsel as well as learned counsel for the respondent-Society.
2. The petitioners are aggrieved by their posting as Community Health Officers.
3. It is submitted by learned senior counsel for the



petitioners that only those who have completed a certificate course conducted by IGNOU are eligible to be posted as Community Health Officers. To buttress his submission, the learned senior counsel refers to order dated 07-01-2021, which is an order for posting of certain fresher candidates who had completed a certificate course conducted by IGNOU for posting as Community Health Officers.

4. The learned State counsel referring to the averment made in the counter affidavit as well as the order dated 23-12-2022 issued by the Health Department, submits that posting of Community Health Officers at the Health and Wellness Centers, as per the scheme of the government, has to be done from the regular nursing staff. The persons posted under order dated 07-01-2021 are regular nursing staff. The certificate course referred to in that order applies only for posting of regular nursing staff as Community Health Officers.

5. This Court finds that petitioners' reliance on Annexure-6, order dated 07-01-2021 is misplaced, as they are contractual employees, who have been posted as Community Health Officers on an honorarium. The petitioners cannot claim parity with the regular nursing staff.

6. The petitioners have not been able to make out any



case for interfering with their postings as Community Health
Officers. The writ petition is dismissed.

(Madhuresh Prasad, J)

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