

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1957 of 2020

=====

Jitendra Kumar, Son of Maheshwari Singh, Resident of 241, Khairidih, P.O.- Sonmankhi, P.S.- Khagaria, District- Khagaria, presently posted as Pharmacist, Rashtriya Bal Swasthya Karyakaram (RBSK), Primary Health Centre, Alauli, Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Health, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Health, Government of Bihar, New Secretariate, Patna.
3. The Director -in- Chief (Administration) Health Services, Government of Bihar, New Secretariat, Patna.
4. The Executive Director State Health Society, Bihar, Pariwar Kalyan Bhawan, Shekhpura, Patna.
5. The Civil Surgeon cum- Chief Medical Officer Khagaria, District- Khagaria.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Singh, Advocate
For the Respondent/s	:	Mr. Chandra Shekhar Singh, AC to GA-10
		Mr. K.K. Sinha, Advocate
		Mr. Shashi Shekhar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 2 11-07-2023 1. The short issue raised by the petitioner is for grant of the wages at the rate of Rs. 30,000/- (thirty thousand) per month instead of Rs. 12,000/- per month for the contractual services rendered by him as Pharmacist. He has placed reliance on order dated 07.08.2019 issued by the Health Department, Government of Bihar (Annexure-6).
2. Counter-affidavit has been filed by the State. The specific stand of the State is that Rs. 30,000/- per month is to be



paid to Pharmacist who are appointed in the Department against sanctioned posts. The petitioner is working under a scheme, namely, *Rashtriya Bal Swasthya karyakarm* (RBSK) under the National Health Mission and is not working on contractual basis in the Department. The specific stand is that in view of this factual distinction, the decision of the Health Department dated 07.08.2019 applicable to those working in the department against sanctioned posts will not apply to the petitioner.

3. The fact is not in dispute that the petitioner is working under the Scheme and not in the department.

4. This Court, therefore, does not find any enforceable claim of the petitioner to claim wages at the rate specified in the Health Department order dated 07.08.2019, applicable to Pharmacist appointed in the department against sanctioned posts.

5. Writ petition is dismissed.

(Madhuresh Prasad, J)

SUMIT/-

U			
---	--	--	--

