

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6646 of 2022

1. Ranjeet Kumar Son of Shiveshwar Prasad Verma Resident of Village-Durga Ashtan, near Railway Crossing, Gumati No.2, P.S.-Kotwali, District-Munger Kotwali.
2. Jayram Rajak Son of Yogendra Rajak Resident of Village-Ward No. 29, Faridpur, Jamalpur, P.S.-Jamalpur, District-Munger.
3. Samiranjan Kumar Son of Ramkishan Choudhary, Resident of Village-Near Badi Kali Ashthan, Shadipur, P.S.-Kotwali, District-Munger.
4. Sanjiv Kumar Son of Kedar Prasad Sah Resident of Vilalge-Asarganj, Laheritola, P.S.-Asarganj, District-Munger.
5. Nikhil Anand Son of Vishni deo Parsad Resident of Village- Opposite Sadar Hopspital, Topkhana Bazar-P.S.-Kotwali, District-Munger.
6. Mukesh Kumar Singh Son of Basuki Nath Singh Resident of Village-Jagatpura Panchayat, Bhuna, P.S.-Sangrampur, District-Munger.
7. Abdhesh Kumar Son of Late Lakhan Prasad Resident of Village-Basudeopur, P.S.-Kotwali, District-Munger.
8. Md. Shamsheer Alam Son of Md. Ainul Resident of Village-Near J M S College, Minnatnagar, Samaspur, P.S.-Muffasil, District-Munger.
9. Binita Kumari Daughter of Satyanarayan Prasad Sinha Resident of Village-Topkhana Bazar, P.S.-Kotwali, District-Munger.
10. Chandramani Kumar Trivedi Son of Tripurati Trivedi Resident of Village-Jalalabad, Asarganj, P.S.-Asarganj, District-Munger.
11. Diwakar Kumar Son of Brajendra nath Shukla, Resident of Village-Topkhana Bazar, P.S.-Kotwali, District-Munger.
12. Ravi Kumar Son of Baleshwar Prasad Mandal Resident of Village-Kasim Bazar, P.S.-Kasim Bazar, District-Munger.
13. Bandana Kumari Wife of Shashikant Sah Resident of Village-Dadrijala, P.S.-Sangrampur, District-Munger.
14. Jairam Das Son of Thakur Ravidas, Resident of Mohalla-Street Road, Lane Khanpure, Tarapur, P.S.-tarapur, District-Munger.
15. Kalpana Kumari Wife of Deepak Kumar Singh Resident of Village-Belan Bazar, Naglok, Lallupokhar, P.S.-Kasim Bazar, District-Munger.
16. Md Wali Rahman Son of Md. Ali Azam, Resident of Village-Mirzapur, Bardah, P.S.-Mufassil, District-Munger.
17. Deepak Kumar Son of Parmanand Pathak Resident of Village-At Jhitti, Post-Dadrijala Sanggrampur P.S.-Sangrampur, District-Munger.
18. Shuchi Kumari Daughter of Surendra Kumar Mishra Resident of Vilalge-Shivaji Chowk, Banka, P.s.-Banka, District-Banka.
19. Afzal Alam Son of Shan Alam, Resident of Village-Kali Tazal Road, Dilawarpur, P.S.-Kotwali, District-Munger.
20. Ashish Kumar Son of Naresh Yadav Resident of Village-Halkra Chak, P.S.-Bath, District-Bhagalpur.



... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
2. The Mission Director, Bihar Administrative Reforms Mission Society, General Administration Department, Govt. of Bihar, Patna.
3. The officer on Special Duty, Bihar Administrative Reforms Mission Society, General Administration Department, Govt. of Bihar, Patna.
4. The State Health Society, through its Executive Director, Sheikhpura, Patna.
5. The Secretary, State Health Society, Sheikhpura, Patna.
6. The District Magistrate, District-Munger, Bihar.
7. The District health Society, Munger through its Member Secretary.
8. The Civil Surgeon Cum Member Secretary, District Health Society, Munger.
9. The Deputy Collector (Establishment), Munger, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shashank Chandra, Adv
For the Respondent/s : Mr.Md. N.H. Khan (SC-1)

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-06-2023 Writ petition has been filed for following reliefs:

"(i) For issuance of Writ in the nature of Certiorari or any other appropriate Writ, Order, direction, quashing the Letter No. 385 dated 12.02.2021 (Annexure - 9), issued by the Respondent No.8, whereby the services of the Petitioners, as Executive Assistants have been Terminated on the ground that the Petitioners have refused to register themselves with a Private Limited Company, namely M/S Urmila International Services Pvt. Ltd. The Impugned Letter dated 12.02.2021 is in teeth of



the conditions of the appointment of the Petitioners on the contractual post of Executive Assistants, as enumerated in their Appointment Letters (Annexure – 5), including the decision taken by the Bihar Administrative Reforms Mission Society contained in Letter No. 436 dated 26.02.2019 (Annexure - 7) which nowhere contemplated that the Petitioners during their service will be required to enroll themselves with a private organization, thereby becoming an employee of the private organization.

(ii) For issuance of Writ in the nature of Mandamus, or any other appropriate Writ, order, direction, commanding the Respondents, particularly the Respondent No.8 to forthwith reinstate the Petitioners back in service with all consequential benefits and to strictly follow the terms and conditions of appointment of the Petitioners as contained in their Appointment Letters and also the decision taken by the Bihar Administrative Reforms Mission Society. The Petitioners further prays for a direction upon the Respondent Authorities to act strictly in accordance with law."

Claiming parity with others in the district of



Sitamarhi, the petitioners have filed a representation which is dated 31.03.2023 to the District Magistrate of district-Munger, learned counsel for the petitioners submits that the representation has to be considered keeping in background the communication of the Civil Surgeon to the Health Department dated 13.12.2022 (Annexure - 13) as well as communication dated 09.01.2023 (Annexure- 13/1) issued by the Secretary, Health Department.

Since the issue now has to be considered by the respondent authorities, pendency of the writ petition would serve no useful purpose.

The same is disposed of with direction to District Magistrate, Munger (Respondent No. 6) to consider the representation and pass an order thereupon, in accordance with law, within eight (8) weeks from receipt/production of a copy of this order.

(Madhuresh Prasad, J)

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