

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7788 of 2023

Ashok Kumar, Son of Late Chandra Deo Poddar, Resident of Village-
Adampur, Police Station- Khagaul, District- Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Health, Government of Bihar, 1st Floor, Vikas Bhawan, Bailey Road, Veerchand Patel Road Area, Patna, Bihar 800015.
2. The Additional Chief Secretary, Department of Health, Government of Bihar, 1st Floor, Vikas Bhawan, Bailey Road, Veerchand Patel Road Area, Patna, Bihar 800015.
3. The Secretary-cum-ED, State Health Society and Departmental Chief Vigilance Officer, T36V + R66, Parivar Kalyan Bhawan, State Health Society, Sheikhpura, Patna, Bihar- 800014.
4. The Union of India, through the Additional Secretary and Mission Director, Government of India, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi- 110108.
5. The Additional Secretary, Department of Health, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
6. The Director-in-Chief (Nursing), Department of Health, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
7. The Director-in-Chief (Disease Control Public Health, Para Medicals), Department of Health, Vikash Bhawan, Bailey Road, Patna.
8. The Director-in-Chief (Admin), Department of Health, Vikash Bhawan, Bailey Road, Patna.
9. The Regional Director of Health Services, Department of Health, Vikash Bhawan, Bailey Road, Patna.
10. The Chief Medical Officer-cum-Civil Surgeon, Patna, Office Near Gardanibagh Hospital, Patna.
11. The Collector-cum-District Magistrate-cum-Chairman of District Health Society, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No. 13, Advocate Ms. Nitu Kumari, Advocate
For the Respondent/s	:	Mr.P.K. Shahi (AG) Dr. K.N. Singh, ASG

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT



(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 23-06-2023

The Public Interest Litigation is filed to direct the respondent authorities to take appropriate action in accordance with law and dispose of the representation dated 14.02.2023. The grievance of the petitioner, who asserts himself to be a public spirited person, is that the National Health Mission (NHM) directed the National Immunization Schedule under the Immunization of Pneumococcal Conjugate Vaccine within the State of Bihar. The schedule of vaccination has to be impeccably followed which schedule was also designed by experts to ensure that the children get protection from various ailments. It is stated that the Auxiliary Nurse and Midwives (ANMs) of PHC, Punpun, Patna under the leadership of certain persons refused to comply with the schedule. Despite the leaders having been named in the original petition, none of them are impleaded in the writ petition. It is also pertinent that the ANMs who are alleged to have refused to follow the instructions of the higher authorities have also not been impleaded personally or in a representative capacity. A reading of the writ petition and the annexures produced would only indicate that there was some agitation carried out by the ANMs and without hearing them there could be no directions issued as sought for by the



petitioner. We also do not discern any public interest.

We find no reason to invoke the extraordinary jurisdiction in the above writ petition and dismiss the same *in limine*.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

P.K.P./Anushka

AFR/NAFR	
CAV DATE	
Uploading Date	28.06.2023
Transmission Date	

