

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1191 of 2019

In
Civil Writ Jurisdiction Case No.14199 of 2014

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1. Kiran Kumari, Daughter of Ram Sagar Ram, R/O Village- Pourma, P.S.- Hayaghat, Dist.- Darbhanga.
 2. Indu Devi, Daughter of Ram Sagar Ram, R/O Village- Pourma, P.S.- Hayaghat, Dist.- Darbhanga.

... .. Appellant/s

Versus

1. The State of Bihar through Commissioner Cum Secretary, Health Department, New Secretariat, Patna.
2. The Civil Surgeon cum Chief Medical Officer, Laheriasarai, Darbhanga.
3. The In-charge Medical Officer, Primary Health Centre Hayaghat, Darbhanga.
4. The In-charge Medical Officer, Additional Primary Health Majaulia, Darbhanga.
5. Regional Deputy Director, Health, Darbhanga Division, Darbhanga.
6. Secretary, Rogi Kalya Samiti of Block Hayaghat.
7. Block Pramukh, Rogi Kalyan Samiti of Block Hayaghat District- Darbhanga.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jagdish Prasad Singh, Adv.
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 18-04-2023

The appellants, being aggrieved by the order dated 13.08.2019, passed in C.W.J.C. No. 14199 of 2014, has invoked the jurisdiction of this Court in appeal.



2. The appellants were engaged as Sweepers on *ad hoc* basis for a year, whose services were dispensed with after the period of contract was over.

3. The challenge to the termination order could not be sustained as the reliance of the appellants on the judgment of this Court in ***State of Bihar & Ors. Vs. Anil Kumar Singh; 2016(4) PLJC 41*** was found to be misplaced.

4. In the afore-noted case, the person concerned was appointed against a permanent post and, therefore, the protection to a government servant in public employment was extended to him as well.

5. Nothing of that kind is available with the case of the appellants herein, in whose cases, there is no element of any public employment. It was only on the oral direction of the Civil Surgeon-cum-Chief Medical Officer to the In-charge Medical Officer, Primary Health Centre, Hayaghat that the appellants were engaged on contractual basis whose services were



dispensed with after the period of contract was over.

6. We do not find any reason to interfere with the order passed by the learned single Judge.

7. There is no merit in this appeal and it is, accordingly, dismissed but without any order as to costs.

(Ashutosh Kumar, J)

(Harish Kumar, J)

Anjani/Praveen

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	21.04.2023
Transmission Date	N.A.

