

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5757 of 2024

1. Rajeev Kumar Sharma Son of Om Prakash Sharma, Resident of At Matadih, near Kali Mandir, P.O - Jamalpur, P.S. Dharhara, District- Munger, Bihar- 811214.
2. Devendra Kumar @ Devendar Kumar, Son of Ram Bharosh Singh, resident of Village- Maniarpur, Somnaham, Samastipur.
3. Vinita Kumari, Wife of Mrityunjay, resident of Mohalla- B/16, Professors Colony, Aghoria, Bazar, District- Muzaffarpur (Bihar)-842002.
4. Purushottam Kumar, Son of Ram Sagar Prasad Singh, resident of Village- Barma, P.O.- Kaithwa, District- Shekhpura- 811107.
5. Manish Kumar, Son of Mahesh Prasad, resident of Mangal Bazar, Post and District-Munger- 811201.
6. Kapildeo Kumar, Son of Makhan Mandal, resident of Sarswati Nager, P.O.- Bariyarpur, District- Munger -811211.
7. Md. Imroz Rana, Son of Md. Mujibur Rahman, resident of Village- Harnath, P.O.- and P.S.-Shahkund, District- Bhagalpur.
8. Amit Chandra, Son of Mhavir Sahu, Vill. and Post and P.S.-Amba, District- 824111 Aurangabad.
9. Santosh Kumar Suman, Son of Pawan Kumar Jha, resident of Village Mehshi, Bibhutipur, Samastipur- 848160.
10. Lav Kumar, Son of Ramjee Mishra, resident of Village and Post- Kartar Bajitpur, P.O.- District- Vaishali (843110).
11. Santosh Kumar Ram, Son of Raj Kumar Ram, resident at Ratanopatti, Darbhanga - 846004.
12. Enamul Haque, Son of Md. Ibrahim, resident at Dighli, Koltha, Maria, P.S.- Paharkatta, District- Kishanganj- 855117.
13. Baidyanath Mahto, Son of Cheedi Mahto, resident at Pohadadi, Bela, Ghanshyampur, Darbhanga- 847427.
14. Vibha, Daughter of Ramashish Singh, resident at Kashipur, Ward No.04, District-Samastipur.
15. Chandrashekhar Kumar Roy, Son of Bashistha Narayan Roy, resident of ward No. 4, Chiriya Ghat, District- Bettiah, West Champaran- 845438.
16. Sanjay Baitha, Son of Parmanand Baitha, resident of Village- Shekhauna, P.O.- Bagha, P.S.- Ghorsahan, East Champaran- 845315.
17. Amresh Kumar Mishra, Son Rajeshwar Mishra, resident of Jamunia, Ward No. 02, West Champaran- 845453.
18. Mukesh Kumar Devedi @ Mukesh Dwivedi, Son of Gautam Devedi, resident of Parari, Mairwan, P.S.- Guthani, District- Siwan- 841239.
19. Deepak Kumar, Son of Ratandeo Prasad Gupta, resident at Chunchun Babu Marg, Chitragupta (Krishana) Nagar, Ward No. 14, District-Khagaria- 851205.
20. Shailendra Chaudhary, Son of Rajendra Chaudhary, resident at Kukhariya,



Ramgarh, Nalanda-801305.

21. Sanjiv Kumar Sah @ Sanjeev Kumar Sah, Son of Jay Prakash, resident at Raghonpur, Supaul.
22. Kamare Alam, Son of Abullaish Babu, resident at Bellahia, P.O.- Raghunathpur, P.S.- Ramgarhwa, District- East Champaran 845433.
23. Ratneshwar Kumar Baitha, Son of Ramkhelwan Simri, District- Saharsa.
24. Sarfaraj Ahmad Son of Shalimuddin Ansari, resident of Village and Post- Harpur Nag, Mahesi, District- East Champaran 855412.
25. Md. Anwar Azad, Son of Md. Ozair, resident of ward No. 2, Bakhari Khajuri, Karmawan, East Champaran- 845304.
26. Vinod Kumar, Son of Damodar Mahto, Daudnagar, P.O.- Daudnagar, Vaishali.
27. Akhilesh Kumar Sah, Son of Mahendra Sah, resident at Balatand, District- Vaishali- 844502.
28. Navin kumar, Son of Madan Goswami, resident of Village and Post- Bhagwanpur, Deshwa, District- Samastipur.
29. Md. Sabir, Son of Abdusttar resident at Faijpur Barbigah, Bakhadda, Begusrai- 851217.
30. Lalbabu Yadav, Son of Mahendra Yadav, resident of Village- Bishariya, P.O.- Kumar khand P.S.- Ladaniya, District- Madhubani- 847232.
31. Ravindra Kumar @ Raveendra Kumar, Son of Shree Ramchandra Prasad, resident of Village- Benipur, Rupau, District-Nawada (805107).
32. Sunil Kumar Gupta, Son of Thakur Prasad Gupta, Bansrajpur, Ekma, Saran.
33. Pappi Kumari @ Pappy Kumari, Wife of Ashok Chandra, resident of Mohalla - Shantinager, Behind ITI Ward No.- 02, Aam Ghata, Bhagawaripur, District- Sitamarhi- 843302.
34. Sanjay Kumar, Son of Mohanlal Prasad, resident of village- Hansrajpur, Ekma, Saran.
35. Mintu Kumar, Son of Mahendra Prasad, resident of Village- Babul Bani, Pahleja, District-Sharan (841101).
36. Pramod Kumar, Son of Kameshwar Mochhi, resident of Village- Mahmadpur, Raghunathpur, Nagdah via RTS, Begusarai.
37. Sudhir Kumar, Son of Ramesh Rajak, resident at Maa Bhawan, New Sabajpura, Danapur, District- Patna.
38. Ved Vyas Mishra, Son of Sahdo Mishra, resident at mohalla- Kharwa, P.O.- Rata, District- Banka- 813207.
39. Sanjeev Kumar Chaudhary, Son of Ramadhar Chaudhary, resident of Village- Simri, P.O.- Sonama, P.S.- Bakhri Bajar, District- Begusarai (848201).
40. Ashish Kumar Choudhary @ Ashish Kumar, Son of Yadunandan Chaudhary, resident at Katra, Baradari, Near of Bachha Band, P.O.- Chapra, Bhagwan Bazar, District-Chapra- 841301.
41. Asaraf Ali, Son of Md. Mauladin, resident of Village- Jipura, P.O.- Moriya,



District- Saran.

42. Babi Kumari, Daughter of Shanti Bhushan Choudhary, resident Village and P.O.- Bajidpur, Bambaiya, District- Samastipur- 848160.
43. Md. Riyaj Alam, Son of Md. Abulhasim, resident of Village and Post- Bhelaganj District- Katihar.
44. Md. Wazir Ahmad, Md. Sultan, resident of Village- Sanha, P.O.- Sanha, P.S.- Sahebpur Kamal, District- Begusarai.
45. Manoj Kumar Mandal @ Manoj Kumar, Son of Mishri Kant Mandal, resident at Rahta, P.O.- Pir Mokam, P.S.-Falka, District- Katihar.
46. Md. Samir Alam, Son of Darajuddin Alam, resident at G.F. Rahman Colon, Sharif ganj, Deharia, Katihar.
47. Vinay Kumar, Son of Sri Ramashish Modi, resident of Village- Majdiya, P.O.- M.T. Devipur, P.S.- Kursela, Katihar.
48. Rajeev Gunjan Kumar, Son of Achhae Lal Yadav, resident village and Dandari, District- Begusarai.
49. Shailendra Kumar Roy, Son of Yogendra Roy, resident at C/o Dayanand Mandal, D.M. Kothi, Road, Shrinagar Hata, Purnea- 854301.
50. Priyadarshi Ram, Son of Late Laxmi Prasad Ram, Manjhi Basti, Newa Lal Chowk, Chauthak, Purnea - 854301.
51. Thakur Chandan Singh, Son of Vivekanand Thakur, resident of Ward No.- 7, Chakla Nirmali, District- Supaul (852131).
52. Mukesh Kumar Sah, Son of Rajendra Sah, resident of Village and Post- Kamalpur, P.S.-Punali, District- Supaul (847451).
53. Md. Hifeur Rahman @ Hifeur Rahman, Son of M.A. Quadir, resident of Village- Rampur, P.O.- Jamalpur, Gogi, District- Khagaria.
54. Bikash Kumar Singh @ Bikas Kumar Singh, Son of Awadhesh Prasad Singh, resident at Dinkar Bhawan, Opp. Central Bank, Kalisasthan, Begusarai.
55. Kumar Gaurav, Son of Rame Ramchandra Duey, resident at J.P. Colony, Post- Madhubani, Purnea- 845104.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary-cum member High Level Committee, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Director-in-Chief, Health Services, Bihar, Patna.
4. The Executive Director, State Health Society Patna.
5. The Secretary, Personal and Administrative Reforms Department through its Secretary, Government of Bihar, Patna.

... .. Respondent/s

Appearance :



For the Petitioner/s : Mr.Abhash, Advocate
For the Respondent/s : Ms.Babita Kumari, AC to SC-1
For BSHS : Dr.Anand Kumar, Advocate
Mr.Rajan Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of an order, direction or appropriate writ for direct the respondent to formulate new order for regularization/absorption of Petitioners against the office order No. 526(4) dated 01.04.2019 issued by the Directorate, Health Services, Bihar with respect to the paramedical employees working under the Health Services, Government of Bihar on the contractual basis against the sanction post whereby and where under their term of period of contract has been extended till the regular appointment or till the superannuation age i.e. 60 years, after considering the fact that they were appointed against the sanction/ regular appointment post, they have been working from last 13 years, even though appoint of the is irregular but work is permanent in nature and they had fulfilled all the criteria at the time of selection and the selection process was completed under the advertisement with respect to Para Medical Rule-2005 and the appointment was made by competent authority i.e Health Department, Government of Bihar.

(ii) For issuance of an order, direction or



appropriate writ for direct the respondent to preferentially consider the claim of the petitioners to regularize/absorb on the same post where they were got initially contractual engagement to the post Lab Technician against the sanctioned post vide order No. 1130(4) dated 29.06.2010 issued by Director-in-Chief, Health Service, Bihar, Patna with respect to merit list vide letter No. 12467 dated 14.10.2009 prepared by the its instrumentalities State Health Society Government of Bihar pursuant to State Government resolution Nos. 216(6) dated 29.03.2006 and 1145(6) dated 07.12.2007 and related to published advertisement and they have been engaged continuously for last 13 years i.e. long period.”

2. After some arguments, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to approach the respondent-authorities for redressal of their aforesaid grievances. Liberty so sought is granted.

3. The present writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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