

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4864 of 2020

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Bipin Kumar Ravi Son of Ravindra Singh Resident of Vill.-Murgiachak P.S.-
Bena District-Nalanda and at Present Working as Dialysis technician in
Medicine Department D.M.C.H. Darbhanga, Petitioner.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, health Department Bihar Patna.
2. Divisional Commissioner Division-Darbhangha Cum President oRogi Kalyan Samiti Darbhanga.
3. Dist Magistrate Darbhanga-Cum-Vice President Rogi Kalyan Samiti Darbhanga.
4. Superintendent Cum Member Secretary Rogi Kalyan Samiti D.M.C.H. Darbhanga.
5. Head of Department, I.C.U., D.M.C.H. Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Shahnawaz Ali, Adv.
For the Respondent/s	:	Mr.Ajay Bihari Sinha (GA8)
	:	Mr.Neeraj Raj, AC to GA8

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-04-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for directing the respondent authorities to relax the age and add point of experience in the appointment of the petitioner as he has about eight year working experience. The further prayer has been made to quash the advertisement dated 10.02.2020 published in Hindustan paper in pursuance of the letter for requirement issued on 04.02.2020 by the Superintendent of D.M.C.H., Laheriasarai Darbhanga and to comply the direction of advertisement dated 25.08.2014 of Director in Chief Health



Services, Bihar Patna.

3. Counsel for the petitioner submits that the petitioner was engaged in 2010 on the post of Technician in D.M.C.H., Darbhanga and he was time to time appointed in 2013 and again 2014. After drop, he was again appointed in 2018 and again re-engaged. Counsel further submits that a fresh advertisement has come and published in 10.02.2020. He has filed the representation that the said advertisement be quashed.

4. Counsel for the State submits that pleading has been completed and specific stand has been taken by the State that the petitioner is a contractual employee whose contractual engagement has increased time to time according to the decision of Rogi Kalyan Samiti. The said contractual appointment was only for 6 months which was extended after breakage and in this way, the petitioner has no right as like that of persons of regular appointee.

5. In the light of the submissions made, this Court is of the firm view that contractual employee has no right, and therefore, the present writ application stands dismissed.

(Dr. Anshuman, J.)

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