

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.130 of 2025

In
Civil Writ Jurisdiction Case No.17759 of 2024

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1. Archana Kumari Daughter of Naval Kishore Lal, resident of village- Tarar, P.O. and P.S. Tarari, District - Aurangabad, presently posted as General Nurse Midwifery, Grade- A, Nalanda Medical College and Hospital, Patna.
 2. Daizy Rani, Wife of Satyanarayan Gupta, resident of near Satyendra Narayan High School, Ekangar Dih, P.S. Ekangarsarai, District - Nalanda at Biharsharif, presently posted as General Nurse Midwifery, Grade- A, Nalanda Medical College and Hospital, Patna.
 3. Sunita Sinha, Wife of Dhananjay Kumar, resident of Shree Krishnapuri, Tikuliper Kangi Mohalla, Biharsharif, P.O. and P.S. Biharsharif, District - Nalanda at Biharsharif, presently posted as General Nurse Midwifery, Grade- A, Nalanda Medical College and Hospital, Patna.
 4. Indrawati Kumari Wife of Vikash Kumar, resident of village- Nirakhpur, P.S. Paliganj, District- Nalanda at Biharsharif, presently posted as General Nurse Midwifery, Grade- A, Nalanda Medical College and Hospital, Patna.
 5. Archana Kumari, Wife of Jitendra Kumar, resident of Chinta Niketan, Road No. 3, North of Kumharar Gumati, Sandalpur Road, Vikash Nagar, P.S. Bahadurpur District - Patna, presently posted as General Nurse Midwifery, Grade- A, Nalanda Medical College and Hospital, Patna.
 6. Kalpana Kumari, Wife of Abhay Kumar, resident of village - Chakdaulat, P.O. - Chandhari, P.S. Islampur, District - Nalanda at Biharsharif, presently posted as General Nurse Midwifery, Grade- A, Nalanda Medical College and Hospital, Patna.
 7. Priti Sadhana, daughter of Umashankar Patel, resident of village - Dharampur, P.S. Noorsarai, District- Nalanda at Biharsharif, presently posted as General Nurse Midwifery, Grade- A, Nalanda Medical College and Hospital, Patna.
 8. Priyanka Kumari, daughter of Rambriksh Prasad, resident of village- Madhopur Dih, P.O. Madhopur, District- Nalanda at Biharsharif, presently posted as General Nurse Midwifery, Grade- A, Nalanda Medical College and Hospital, Patna.
 9. Priti Kumari, Wife of Piyush Lal, resident of Flat No. 105, Tribhuwan Complex, Doctors Colony, P.O. Gulzarbagh, District - Patna, presently posted as General Nurse Midwifery, Grade- A, Nalanda Medical College and Hospital, Patna.
 10. Babita Kumari, Wife of Binod Kumar Rajak, resident of Canara Bank Ke Samne Road Me, Nayachak (Khemani Chak), Manoharpur Kachhuara, P.S. Ram Krishna Nagar, District - Patna, presently posted as General Nurse Midwifery, Grade- A, Nalanda Medical College and Hospital, Patna.
 11. Priyanka, Wife of Suman Kumar Tiwari, resident of village - Karanpura, Murka, P.S. Paliganj, District - Patna., presently posted as General Nurse Midwifery, Grade- A, Nalanda Medical College and Hospital, Patna.
 12. Abha Kumari, Wife of Mahendra Sharma, resident of House No. 35, Maa



Jagdamba Colony, P.O. Jaganpura, P.S. Ram Krishna Nagar, District- Patna, presently posted as General Nurse Midwifery, Grade- A, Patna Medical College and Hospital, Patna (in the writ petition place of posting was wrongly mentioned as Nalanda Medical College and Hospital, Patna).

- 13. Karuna Kumari, Wife of Ram Shankar Singh, resident of Mohalla - Indush, P.O. and P.S. Jamalpur, District - Munger, presently posted as General Nurse Midwifery, Grade- A, Patna Medical College and Hospital, Patna (in the writ petition place of posting was wrongly mentioned as Nalanda Medical College and Hospital, Patna).
- 14. Sunita Kumari, Wife of Late Jagat Ram Singh, resident of village and P.O. Ramdiri (Ramnagar) P.O. and P.S. Begusarai, District- Begusarai, presently posted as General Nurse Midwifery, Grade- A, Sadar Hospital, Samastipur (in the writ petition place of posting was wrongly mentioned as Nalanda Medical College and Hospital, Patna.)
- 15. Ranjana Kumari, Wife of Raj Kumar Prasad, resident of Gandhi Setu Colony, Biscomaun, P.S. Alamganj, District - Patna, presently posted as General Nurse Midwifery, Grade- A, Patna Medical College and Hospital, Patna (in the writ petition place of posting was wrongly mentioned as Nalanda Medical College and Hospital, Patna).

... .. Appellants

Versus

- 1. The State of Bihar through the Additional Chief Secretary, Department of Health, Government of Bihar, Patna.
- 2. The Deputy Secretary, Department of Health, Government of Bihar, Patna.
- 3. The Director-in-Chief, Health Services, Bihar, Patna.
- 4. The Director-in-Chief (Nursing), Directorate of Health Services, Government of Bihar, Patna.
- 5. The Superintendent, Nalanda Medical College and Hospital, Patna.

... .. Respondents

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Appearance :

For the Appellant/s : Mr. Awnish Kumar, Advocate
For the Respondent/s : Mr. Advocate General

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

3 17-09-2025 The appellants have assailed the order of the learned

Single Judge dated 25.11.2024 passed in CWJC No. 17759 of

2024. The contention of the appellants is that their juniors have



been promoted to the post of Ward Sister Nursing Sister in the pay scale prescribed for the post of Pay Level-8 while ignoring the claim of the so-called seniors/appellants. Assuming that appellants are seniors and juniors names have been considered for the aforementioned promotion. In such circumstances, it was the bounden duty of the appellants to assail the order of promotion of the juniors. In the absence of challenge to juniors promotion, the appellants are not entitled to relief on par with their juniors stated to have been promoted to the next higher post. Therefore, appellants have not made out a case so as to interfere with the order of the learned Single Judge.

2. Accordingly, LPA stands dismissed reserving liberty in the event of any promotion to appellants' juniors to question their promotion in the manner known to the law.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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