HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 17689 of 2026

Sandeep Kumar Gautam And 9 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Awadhesh Kumar Mishra
Counsel for Respondent(s)	:	C.S.C., Pranjal Mehrotra

Court No. - 52

HON'BLE MRS. MANJU RANI CHAUHAN, J.

1. Heard learned counsel for the petitioners, learned Standing Counsel for the State-respondent nos.1, 3 and 4 as well as learned counsel for respondent no.2.

2. The instant writ petition has been filed with the following prayers:

"1. **Issue**, a writ order or direction in to the nature of Mandamus commanding the respondent authority that he will hear and decide the representation dated 08.09.2026 filed by petitioners for not to cause any discrimination in payment of salary to the petitioners (who are the outsourced contract employees and working as Staff Nurse in Maharshi Vashistha Autonomous State Medical College Rampur Basti U.P.) vis-a-vis regularly appointed Staff Nurses and to take decision in this regard accordance with law keeping in mind the observation made by the Hon'ble Apex Court as well as this Hon'ble Court in the case of Jaggo vs Union of India and others, 2024 SSC Online SC 3826, Shripal and Another vs Nagar Nigam Ghaziabad, 2025 SCC Online SC 221, Shripal Dharam Singh and others vs State of U.P and others, 2025 SCC Online SC 1735, Mohammad Sagir and others vs Nagar Nigam Kanpur (SLP (C) No(s) 14760-14762/2024, Bhola Nath vs State of Jharkhand and others, 2026 SCC Online SC 129, Writ A No.18081 of 2021 Kafi Ahmad Khan vs State of U.P. and 2 others and Writ a No.6903/2026 Uttar Pradesh Shiksha Mitra Welfare Association and 243 others vs State of U.P. and 6 others the petitioners to meet the ends of justice.

2. **Issue**, another order or direction to the respondents that they will take appropriate decision for regularization of the petitioners (who are the outsourced contract employees and working as Staff Nurse in Maharshi Vashistha Autonomous State Medical College Rampur Basti U.P.) by creating substantive post and also pay the

petitioners their salary in the regular pay scale regularly every month.

3. **Issue**, further order or directions against the respondent authority that they will insure and sanction the required fund and disburse the salary of the petitioners as per with regular appointed Staff Nurses in the State of U.P.

4. **issue**, another writ order, or directions in the favour of petitioners which this court may deemed fit and proper in this facts and circumstances of the case.

5. To award the cost of the petition in favour of the Petitioners."

3. Learned counsel for the petitioner submits that the petitioners who are 10 in number are working as Staff Nurse/Nursing Officers (male/female) at Maharshi Vashishtha Autonomous State Medical College Rampur, Basti, U.P. since last 10 years. He further contends that the petitioners are out sourced employees, who are working on contract basis. A representation has been moved by them before respondent no.3-Chief Medical Officer, District-Basti to consider their regularization in view of the judgment passed by Apex Court in the case of **Jaggo vs. Union of India and Others**, reported in **2024 SCC Online SC 3826, Shripal and Another vs. Nagar Nigam Ghaziabad**, reported in **2025 SCC Online SC 221, Shripal Dharam Singh and Others vs. State of U.P. and Others**, reported in **2025 SCC Online SC 1735, Mohammad Sagir and others vs. Nagar Nigam Kanpur (SLP (C) No(s) 14760-14762/2024, Bhola Nath vs. State of Jharkhand and others**, reported in **2026 SCC Online SC 129**. He has also placed reliance upon the judgment passed by Co-ordinate Bench of this Court in **Writ-A No.18081 of 2021 (Kafi Ahmad Khan vs State of U.P. and 2 Others)** and also on a judgment passed by this Court in **Writ-A No.6903 of 2026 (Uttar Pradesh Shiksha Mitra Welfare Association and 243 Others vs. State of U.P. and 6 Others)**, therefore, a direction may be issued to the competent authority to decide the same within stipulated period.

4. Learned Standing Counsel as well as learned counsel for respondent submit that they have no objection, in case, fresh representations are moved by the petitioners individually before the authorities concerned for redressal of their grievance, the same shall be considered in accordance with law.

5. Considering the facts and circumstance of the case but without

expressing any opinion on the merits of the case set up on behalf of the petitioners, the present writ petition is disposed of by providing that petitioners may make fresh applications/representations, **individually**, ventilating all their grievances, supported by such documents, as may be advised, before the respondent no.3-Chief Medical Officer, District-Basti, within **three weeks** from today along with a certified copy of this order. On such representation being made, respondent no.3 shall make all endeavours to consider and decide the same, strictly in accordance with law, by means of a reasoned and speaking order, after giving proper opportunity of hearing to the parties concerned, as expeditiously as possible, preferably within a period of **two months** from the date of production of certified copy of this order, if there is no legal impediment.

(Mrs. Manju Rani Chauhan,J.)

October 24, 2026
K.N.

Digitally signed by :-
KALP NATH SINGH
High Court of Judicature at Allahabad