

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 353 of 2021

Shivani Kaushik

... Petitioner/s

Versus

Union of India & Ors.

... ... Respondent/s

-with-

Civil Writ Jurisdiction Case No. 9639 of 2021

Gaurav Kumar Singh

..... Petitioner/s

-Versus-

The Union of India & Ors.

..... Respondents

Appearance:

(In Civil Writ Jurisdiction Case No. 353 of 2021)

For the Petitioner/s : Ms. Shivani Kaushik (In Person)

Mr. Mrigank Mauli, *Amicus Curiae*

For the Union of India : Dr. K.N. Singh (ASG)

Mr. Anshuman Singh, Advocate

For the Respondents : Ms. Kanak Verma, CGC

Mr. Abhimanyu Singh, Advocate

For the State : Mr. Lalit Kishore, Advocate General

Mr. Anjani Kumar, AAG-4

Mr. S.D. Yadav, AAG-9

Mr. Alok Kumar Rahi, A.C. to AAG-4

For Respondent No. 5 : Mrs. Binita Singh, Advocate

For Respondent No. 6 : Mr. Shivender Kishore, Sr. Advocate

For the Respondents : Mr. S.D. Sanjay, Sr. Advocate

For the PMCH : Mr. P.K. Shahi, Senior Advocate

Mr. Vikas Kumar, Advocate

For the PMC : Mr. Prasoon Sinha, Advocate

For the DMCH : Mr. Bindhyachal Rai, Advocate

For the GMC : Mr. Rabindra Kumar Priyadarshi, Advocate

For the Intervener : Mr. Yogesh Chandra Verma, Sr. Advocate

Mr. Prashant Sinha, Advocate



Mr. Rajiv Kumar Singh, Advocate

(In Civil Writ Jurisdiction Case No. 9639 of 2021)

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
Mr. Nikhil Singh, Advocate

For the UOI : Dr. K.N. Singh (ASG)
Mr. Anshuman Singh, CGC

For AIIMS, Patna : Mr. Binay Kumar Pandey, Advocate

For the State : Mr. Lalit Kishore, Advocate General

**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER**

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

40 22-07-2021

Re: I.A. No. 11 of 2021

The instant Interlocutory Application has been preferred for intervening in the present proceedings for the purpose of highlighting the plight of the Ayush doctors, who are working in the State of Bihar on contract basis.

As prayed for by Shri Prashant Sinha, learned counsel for the applicant, Interlocutory Application is disposed of reserving liberty to the applicants to approach the Principal Secretary, Health, Government of Bihar, pointing out the grievances/ issue, subject matter of the present application.

We are sure that as and when any such request is



received along with a copy of this order, the said authority shall consider and decide the issue, in accordance with law, expeditiously, in accordance with law.

We are hopeful that the decision shall be positively taken within a period of three months.

Also, liberty reserved to the applicants to independently file a petition on the very same cause of action, if so required and desired.

Liberty also reserved to the applicants to make a mention for listing of the petition on priority basis. As and when any such mention is made, Registry shall take steps for listing the petition at the earliest.

Instant Interlocutory Application stands disposed of in the aforesaid terms.

Re: CWJC Nos. 353 of 2021 & 9639 of 2021

It is brought to our notice that thus far the Government has not taken any decision in terms of our Order No. 22 dated 13th of May, 2021, nor any response has been filed to the application [I.A. No. 06 of 2021].

The learned Advocate General is not in a position to assist the Court today as such adjournment is prayed for.

Shri Anjani Kumar, learned Additional Advocate



General No. 4 to ascertain as to whether any decision stands taken on the grievances raised by the applicant namely Rashtriya Swasthya Mission Karamchari Sangh, Bihar.

We also request Shri Anjani Kumar, learned Additional Advocate General No. 4 to ascertain the factual status with regard to (a) vaccination carried out in the State of Bihar; (b) the number of tests which are conducted on daily basis and the positivity rate found in the State of Bihar; (c) the infrastructure of health available at the district/sub-division.

We request Shri Anjani Kumar, learned Additional Advocate General No. 4 to advise his client to expedite all issues, subject matter of the present petition.

List on 26th of July, 2021.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP-

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