

IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. No. 332 of 2025

- 1(i) Amrita Ray, 49 years, W/o Late Arun Kumar Raut
 - (ii) Anupriya Kumari, 26 yrs, D/o Late Arun Kumar Raut
 - (iii) Anubhav Kumar Raut, 20 yrs, S/o Late Arun Kumar Raut
All resident of Babu Para, P.O. & P.S. and District Dumka
 - (iv) Anuradha Kumari, 25 yrs, D/o Late Arun Kumar Raut, R/o-Kishan Bishwas, Ward No. 1, Fulkumar Tola, Gram - Rampur, P.O. Garhbanaili, P.S. Araria, Rampur, Kundarkatti, District Araria.
 2. Rajesh Kumar Gupta, Aged about 58 years, Son of Sukhdeo Prasad Sah, Resident of Bousi, P.O. & P.S.-Bousi, District-Banka (Bihar).
 3. Ashish Kumar Gane, Aged about 57 years Son of Late Nawaridhar Gane, Resident of Kendua, P.O. Dado, P.S. Ramgarh, District - Dumka (Jharkhand)
- ... Appellants

Versus

1. The State of Jharkhand through the Secretary-cum-Commissioner, Department of Health and Family Welfare, Government of Jharkhand, Ranchi
 2. The Joint Secretary to the Government, Department of Health and Family Welfare, Government of Jharkhand, at Nepal House, P.O. & P.S. Doranda, Dist. Ranchi.
 3. The Deputy Secretary to the Government, Department of Health and Family Welfare, Government of Jharkhand, at Nepal House, P.O. & P.S. Doranda, Dist. Ranchi.
 4. Prem Kumar Sah, Son of Sri Sukhdeo Prasad Sah, resident of Karhalbil, P.O., P.S. and District – Dumka
 5. Gopal Kumar Mandal, son of Suresh Chandra Mandal, resident of and P.O. Bariran Bahiyar, PS-Ramgarh, District-Dumka
 6. Prabhakar Prasad Singh, Son of Mani Prasad Singh, resident of Ranhan, P.O. P.S.- Mahadeo Simaria, District-Jamui (Bihar)
 7. The Commissioner, Santhal Pargana Division, P.O. & P.S. Dumka, Dist. Dumka.
 8. The Deputy Commissioner, at P.O. & P.S. Dumka, Distt. Dumka
 9. The Civil Surgeon-cum-Chief Medical Officer, at P.O. & P.S. Dumka, Distt. Dumka.
 10. The In-charge Medical Officer Primary Health Centre, at Jarmundi, P.O. & P.S. & Dist. Dumka.
 11. The In-charge Medical Officer, Primary Health Centre, at Masalia, P.O. & P.S. Dumka, Dist. Dumka
 12. Bhola Prasad Singh, Son of Late Bibekanandan Singh, resident of Ranhan, P.O. & P.S. Mahadeo Simaria, District-Jamui (Bihar)
- ... Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Appellants: Mr. Manish Kumar, Advocate
Mrs. Pratibha Mahto, Advocate
For the Resp-State: Mr. Suraj Prakash, A.C. to S.C.-VII

04/Dated: 23.03.2026

1. Heard learned counsel for the parties.
2. By our order dated 09.03.2026, we had requested the learned counsel for the respondents to consider and obtain instructions with regard to the order dated 05.01.2023 disposing of L.P.A. No. 254 of 2022, which was instituted by one of the co-petitioners against the impugned order dated 02.05.2022 passed in W.P.(S) No. 736 of 2010.
3. Mr. Suraj Prakash, learned A.C. to S.C.-VII for the respondents-State, on instructions, submits that there is no difference in the case of the present appellants and the appellant in L.P.A. No. 254 of 2022. He submitted that a supplementary counter affidavit to this effect has also been filed in this matter, and in paragraph 5, this position has been reiterated.
4. Accordingly, Mr. Suraj Prakash submitted that this L.P.A. would be allowed by following the order dated 05.01.2023 disposing of L.P.A. No. 254 of 2022.
5. Accordingly, by following the reasoning in the order dated 05.01.2023 disposing of L.P.A. No. 254 of 2022, we allow this appeal.
6. The learned counsel for the parties states that when W.P.(S) No. 736 of 2010 was instituted by the present appellants, they were out of service on account of the impugned termination orders dated 13/14.10.1993. However, in 2010, they were reinstated and have continued in service. They point out that the original 1st appellant has expired and the 2nd and 3rd appellants continued in service.

7. Accordingly, allowing of this appeal would mean and imply that the services of the appellants are to be regularized with all consequential benefits. The legal representatives of the original 1st appellant would also be entitled to the death-cum-retirement benefits as may be available under the rules. We therefore, grant relief in these terms to the appellants.

8. The appeal is disposed of in the above terms without any order for costs. Pending Interlocutory Applications, if any, do not survive and are disposed of.

(M.S. Sonak, C.J.)

(Rajesh Shankar, J.)

March 23, 2026

N.A.F.R.

APK/VK

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