

IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. No. 28 of 2026

Santoshini Murmu, Aged about- 65 Years, Wife of Shri Malin Hansda,
Resident of Village Rampur, P.O.- P.P. Padma, P.S. Shikaripara,
District-Dumka, Jharkhand.

... Petitioner/Appellant

Versus

1. The State of Jharkhand
2. The Secretary, Department of Health and Family Welfare,
Government of Jharkhand, P.O. + P.S. Dhurwa and District –
Ranchi.
3. The Director-in-Chief, Health Services, Government of Jharkhand,
Ranchi, P.O. + P.S.- Dhurwa and District - Ranchi.
4. The Civil Surgeon-cum-Chief Medical Officer, Dhanbad, P.O., P.S.
and District – Dhanbad.
5. The In-Charge Medical Officer, Additional Primary Health Centre,
Kenduadih, P.O. + P.S. Kenduadih, District – Dhanbad.

... Respondents/Respondents

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

For the Appellant: Mr. Sudhir Kumar Sharma, Advocate
Mr. Ramchander Sahu, Advocate
For the Respondents: Mr. Sahbaj Akhtar, A.C. to A.A.G.-III

02/Dated: 16.04.2026

1. Heard Mr. Sudhir Kumar Sharma with Mr. Ramchander Sahu,
the learned counsel for the appellant, and Mr. Sahbaj Akhtar, learned
A.C. to A.A.G. III for the State.
2. At the request of and with the consent of learned counsel for the
parties, we take up this appeal for final disposal.
3. This appeal is directed against the learned Single Judge's order
dated 10th November 2025 dismissing the petitioner's W.P. (S) No.1520

of 2017 on the ground that the petitioner's case was similar to that of the petitioners in W.P. (S) No. 2641 of 2016, and since the said petition was already dismissed, no relief could be granted to the petitioner.

4. The learned counsel for the petitioner has, however, submitted that there was no significant similarity between the petitioners in W.P. (S) No. 2641 of 2016 and the present petitioner/appellant. He pointed out that although the petitioner/appellant had engaged an Advocate to appear on her behalf in W.P. (S) No. 1520 of 2017, the Advocate could not appear on the date the order dated 10.11.2025 was passed, dismissing the said writ petition. As such, the petitioner's contention is that her case, being not similar to that of the petitioners in W.P. (S) No.2641 of 2016, could not be presented before the Court.

5. The learned counsel for the appellant now pointed out some of the differences in the appellant's case and submitted that the impugned order dated 10.11.2025 be set aside and an opportunity be granted to the appellant/petitioner to present her case before the learned Single Judge.

6. In this case, we note that the petitioners in W.P. (S) No. 2641 of 2016 had worked for only two years and, on the basis of such work, sought the regularisation of their services.

7. In contrast, and at least *prima facie*, the records show that the petitioner was initially appointed as a Grade 'A' Nurse vide Memo No.1338 dated 13.11.2003 pursuant to her application in response to the advertisement dated 30.10.2003.

8. After that, the petitioner continued to request regular appointments. In the meantime, the petitioner's services were discontinued, a discontinuance that the petitioner challenged before the Court. Such challenges partly succeeded.

9. Finally, regarding the resolution dated 11.02.2014, the Government introduced a scheme for the regularisation of the services of contractual employees who had put in more than five years of service. For such regularisation, about 95 posts of Grade 'A' Nurses were sanctioned.

10. The record *prima facie* discloses that the petitioner's case was duly considered, and the petitioner has claimed that she was at Serial No.80 of the select-list. However, for no apparent reason, an appointment was not issued to the petitioner. This forced the petitioner to once again approach the Court seeking appropriate relief.

11. This Court directed the petitioner to once again represent to the respondents, and the respondents were directed to consider and dispose of the petitioner's representation.

12. Such representation was disposed of by the memo dated 05.12.2016. The petitioner, aggrieved by this Memo dated 05.12.2016, had instituted W.P. (S) No. 1520 of 2017, in which the impugned order dated 10.11.2025 was passed.

13. The Memo dated 05.12.2016 at least *prima facie* records that the appellant fulfilled all terms and conditions entitling her to a regular

appointment, except that she was not appointed as per the resolution dated 21.12.2004. The petitioner had challenged this reasoning on several grounds in W.P. (S) No.1520 of 2017.

14. From the aforesaid, it does not appear prima facie that the case of the petitioner was identical to the case of the petitioners in W.P. (S) No.2641 of 2016. However, the differences in the petitioner's case could not be projected before the learned Single Judge because the petitioner's advocate could not attend the case on 10 November 2025. The learned Single Judge, relying upon the statement made by the counsel for the respondents, stated that the petitioner's case was identical and similar, disposed of the appellant's petition vide impugned order dated 10th November 2025.

15. In the above circumstances, we believe that the interest of justice would be best served if the learned Single Judge's impugned order dated 10th November 2025 is set aside and the matter is remanded to the learned Single Judge having the assignment to hear such matters, for fresh consideration. On this occasion, the petitioner, through her Advocate, can make all submissions in support of her writ petition. At the same time, even the respondents will have a full opportunity to present their case in the matter and contend that the Petitioner's case is no different.

16. Accordingly, we set aside the learned Single Judge's impugned order dated 10th November 2025 and remand the matter to the learned

Single Judge having the assignment to deal with such matters, for fresh consideration of the appellant's W.P. (S) No. 1520 of 2017.

17. All contentions of the parties, however, remain open. It is clarified that even the observations in the order are only prima facie and need not influence the learned Single Judge when disposing of W.P. (S) No. 1520 of 2017 on its own merits and in accordance with law.

18. The appeal is allowed to the above extent. No costs.

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

(Rajesh Shankar, J.)

April 16, 2026

N.A.F.R.

Manoj/ Sharda/Cp.2

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