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**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No.3810 of 2022**

1. Jyotsna Sahu, W/o. Lokesh Sahu, Aged about 26 years, Posted as a Staff Nurse, NBSU (Sick New Born Care Unit), AT C.H.C. Rajim, District Gariaband (CG)
2. Pratiksha Yadav D/o Jeevan Lal Yadav, Aged about 26 years, Posted as a Staff Nurse, NBSU (Sick New Born Care Unit), AT C.H.C. Rajim, District Gariaband (CG)
3. Pooja Sahu D/o Dindyal Sahu, Aged about 26 years, Posted as a Staff Nurse, NBSU (Sick New Born Care Unit), AT C.H.C. Rajim, District Gariaband (CG)
4. Kuldeep Yadav S/o Shivkumar Yadav, Aged about 29 years, Posted as a Staff Nurse, NBSU (Sick New Born Care Unit), AT C.H.C. Rajim, District Gariaband (CG)
5. Vandita Roy W/o Vinod Roy, Aged about 27 years, posted as a Staff Nurse at Bharat Ratna Late Shri Atal Bihari Govt. Medical College Rajnandgaon
6. Babeeta Latiya, D/o Shri J.S. Latiya, Aged about 27 years, posted as a Staff Nurse at Bharat Ratna Late Shri Atal Bihari Govt. Medical College Rajnandgaon
7. Laxmi Verma D/o Alok Verma, Aged about 29 years, Posted as a Staff Nurse, NBSU (Sick New Born Care Unit), AT C.H.C. Rajim, District Gariaband (CG)

**---- Petitioners****Versus**

1. State of Chhattisgarh, Through the Secretary, Health and Family Welfare Department, Mantralaya, Mahanadi Bhavan Naya Raipur, District Raipur (CG)
2. Joint Director, National Health Mission, Raipur, District Raipur (CG)
3. National Health Mission Forth Floor, C.G. Grih Nirman Mandal Vyavsayik Parisar, Sector-27, Atal Nagar Raipur, District Raipur (CG)
4. Manager, Ekam Foundation, No.16, Jai Laxmi Puram, 1 Street, Nunagabakkam, Chennai, Tamil nadu.
5. Chief Medical and Health Officer, Rajim, District Gariaband, Chhattisgarh
6. C.G. Chief Medical and Health Center, Rajnandgaon, District Rajnandgaon

**---- Respondents**


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For Petitioners	: Mr.Anurag Khatri, Advocate
For Res.No.1 & 5/State	: Mr.Amrito Das, Addl.A.G.
For Respondents No.2 & 3	: Mr.C.J.K.Rao, Advocate

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**Hon'ble Shri Justice Narendra Kumar Vyas**

**Order on Board**

**30.05.2022**

1. The petitioners in the present writ petition are aggrieved of the advertisement published by the respondents No.2 & 3 for recruitment to the post of Staff Nurse under the National Health Mission, Chhattisgarh on contractual basis.
2. Learned counsel for the petitioners submits that the petitioners have been working on contractual basis under the respondents since 2019 onwards. The contractual engagement of the petitioners has been extended from time to time and present contract is valid up till 31.05.2022. He further submits that the petitioners have an apprehension that vide the advertisement Annexure P-1 dated 11.04.2022 there is a possibility of the petitioners getting replaced by another set of contractual employees.
3. At this juncture, learned counsel for respondents No.2 & 3 draws the attention of this Court to Clause 3.6.5 of the advertisement which for ready reference is being reproduced hereinunder:

“शासकीय स्वास्थ्य संस्थाओं के एस0एन0सी0यू0/एन0बी0एस0यू0 में पूर्व से कार्यरत अभ्यर्थियों को प्रथम प्राथमिकता दी जावेगी।”

4. Learned counsel for respondents No. 2 & 3 submits that in the said Clause of the advertisement itself the respondents themselves have categorically held that the candidates who have worked in Govt. Health Institutions under SNCU and NBSU would be given first preference in the course of recruitment. He submits that the petitioners herein are in the candidates who have experience of working under SNCU and NBSU and therefore the petitioners should not have any apprehension as of now

and the writ petition at this juncture is too premature for this Court to take judicial review of any action on the part of the respondents.

5. Given the submissions made by the learned counsel for respondents No.2 & 3 and also taking note of the conditions provided in the advertisement particularly Clause 3.6.5 of the advertisement, this Court is of the opinion that as of now the petitioners need not have any apprehension and the respondents themselves shall take due cognizance of the experience that the petitioners have rendered in the past in terms of the aforementioned Clause of the advertisement. Subject to the petitioners having applied for the said post, they shall be duly considered granting first preference as per the advertisement and also subject to the petitioners meeting all other requisite eligibility criteria.
6. The writ petition thus stands disposed of.

Sd/-

(Narendra Kumar Vyas)  
Vacation Judge

B/-