

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 7165 of 2015

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1. Dr. Suman Kumar Thakur S/o Shri Ghanshyam Thakur Resident of Belauna Niwas, Road No. 2, Shri Nagar, North of A.G. Colony, P.O. Ashiyana Nagar, P.S. Shastri Nagar, District & Town Patna-800025.
 2. Dr. Prashant Singh S/o Shri Chandrashekhar Prasad Singh Resident of 4-A/5 1st Floor, Jagadamba Path, North S.K. Puri, Boaring Road, P.O. Patliputra, P.S. S.K. Puri, District & Town Patna-800013.
 3. Dr. Birendra Prasad Gupta S/o Late Bhushan Prasad Gupta Resident of Village Narga Bazar, P.O. Narga Bazar via Karpi, P.S. Karpi, District Arwal.
 4. Dr. Jyoti Prakash S/o Shri Onkar Nath Singh C/o Dr. S.R. Rai, Resident of M 3/3 Road No. 11, Rajendra Nagar, P.S. Kadamkuan, District & Town Patna-800016.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Health, Government of Bihar, New Secretariat, Vikas Bhawan, Patna.
3. The Joint Secretary, Department of Health, Government of Bihar, New Secretariat, Vikas Bhawan, Patna.
4. The Director-on-Chief, Department of Health, Government of Bihar, New Secretariat, Vikas Bhawan, Patna.
5. The Principal Secretary, Department of General Administration, Government of Bihar, Old Secretariat, Patna.
6. The Bihar Public Service Commission, Jawahar Lal Nehru Marg (Bailey Road), Patna through its Chairman.
7. The Chairman, the Bihar Public Service Commission, Jawahar Lal Nehru Marg (Bailey Road), Patna.
8. The Secretary, Bihar Public Service Commission, Jawahar Lal Nehru Marg (Bailey Road) , Patna.
9. The Joint Secretary-cum-Examination Controller, Bihar Public Service Commission, Jawahar Lal Nehru Marg (Bailey Road), Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Mishra
For the Respondent/s : Mr. Ravish Chandra, AC to SC-16
For the B.P.S.C.: Mr. Sanjay Pandey

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 18-08-2015

18.08.2015

Heard learned counsel for the petitioners, the

State as well as the B.P.S.C.

Most of the questions, which have been raised
by the petitioners in the present writ application,

including the challenge thrown to the Bihar Dentist Service Rules, 2014, has been answered by a Division Bench in C.W.J.C. No. 855 of 2015, decided on 10.04.2015, a copy of which is Annexure-F to the counter affidavit of B.P.S.C.

Even though for the sake of argument the counsel for the petitioner could be correct by submitting that the validity of certain portions of the rule as such was not a subject matter of challenge, but a closer look of the said order would indicate that that aspect has also been squarely answered as to why such weightage is required to be given to the doctors, who have gained experience in the State of Bihar and the object behind it.

In view of the same, writ application is dismissed.

(Ajay Kumar Tripathi, J.)

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