

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 13100 of 2011

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Dr. Anuj Kumar @ Anuj Kumar S/O Late Kameshwar Prasad R/O MDH2/7
IGIMS Campus, Sheikhpura, Distt.- Patna.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Bihar Health Service, Bihar Patna, Vikash Bhawan, Baily Road, Patna
2. The Director Indira Gandhi Institute of Medical Science, Sheikhpura, Patna
3. Deputy Director, Health Department Govt. of Bihar, Patna
4. The Chairman, Board of Governors, I.G.I.M.S., Sheikhpura, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishor
For the Respondent/s : Mr. Sharat Kumar Sinha, GP 15
Mr. Sunil Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 03-03-2016 Heard learned counsel for the petitioner, Sri Sharat Kumar Sinha, learned Govt. Pleader – 15 as well as Sri Sunil Kumar Singh, learned counsel, who appears on behalf of respondent no. 2 & 4/Indira Gandhi Institute of Medical Science.

In the present writ petition, the petitioner has prayed for quashing of Standing Selection Committee, which was constituted for selection of Medical Officer (Medicine), pursuant to Advertisement No. 03/faculty/IGIMS/Estt/2010.

At the very outset, it was submitted by Sri Sunil Kumar Singh, learned counsel for the respondent/IGIMS that the petitioner himself has participated in the selection before the

Standing Selection Committee regarding which, now dispute is being raised by the petitioner that it was illegally constituted. He further submits that pursuant to advertisement, two doctors have already been appointed, however; those persons have not been impleaded, as party-respondent, in the present writ petition.

Learned counsel for the petitioner is not raising a dispute that petitioner has not participated in the selection process.

Once the petitioner participated in the selection process before the Standing Selection Committee, after being not selected, he may not be allowed to raise a dispute that the selection committee was constituted illegally. If he was aggrieved by the constitution of the committee, he ought to have raised dispute immediately thereafter, not after participating in the selection process.

Accordingly, I do not find any ground to pass any positive order.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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