

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8945 of 2016

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Manoj Kumar Ramdas, son of Narendra Ramdas, Resident of Village-
Babhangama, P.S.- Barahat, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Health Department, State of Bihar, Patna.
2. Secretary, Health Department, State of Bihar, Patna.
3. Secretary, Staff Selection Commission, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner : None

For the State : Mr. Kaushal Kumar Jha- AAG-8
Mr. Amish Kumar, AC to AAG-8

For the Commission : Mr. Kamla Kant Upadhyaya, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 16-02-2017

The petitioner in the present writ application, in public interest, seeks a writ of mandamus to clarify the meaning of higher degrees in the advertisement for appointment of Auxiliary Nurse Midwifery (ANM) and also to allow marks on the basis of marks obtained in the ANM course as well as in Matriculation and Intermediate Examinations.

We find that no such writ in public interest would be maintainable as it is for the employer to specify the conditions on the basis of which the employer would like to make appointments. Still further, any aggrieved person would have a right to challenge the conditions of the advertisement, but the same cannot be



challenged by way of public interest litigation as it will amount public interest writ application in service matter.

In view thereof, the present writ application is dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N. A. F. R.
CAV DATE	N. A.
Uploading Date	17.02.2017
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