

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1570 of 2013

IN

Civil Writ Jurisdiction Case No. 2405 of 2013

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Nitin Mukesh, Son of Late Mundrika Prasad Singh, Resident Of Village- Rishi
Paharpur, P.O.- Paharpur, P.S.- Mednichowki, Via- Surajgarha, District- Lakhisarai

.... Appellant/s

Versus

1. The Principal Secretary, Department of Health, Govt. of Bihar, Patna
2. The Director-in-Chief, Health Services, Govt. of Bihar, Patna
3. The Civil Surgeon-Cum-Chief Medical Officer, Samastipur
4. Shyam Sunder Singh, Son of Badri Narayan Singh, Resident of Village + P.O.-
Khamhar, Via- Rajoura, District- Begusarai, at present posted as Pharmacist
Under Civil Surgeon, Samastipur
5. Niraj Kumar Singh, son of Krishna Ballav Singh, Resident of Village-
Sahiyardih, P.O.- Rosra, District- Samastipur, at present posted as Pharmacist
Under Civil Surgeon, Samastipur
6. Bhagwat Yadav, son of Sri Choudhary Yadav, Resident of Village- Bargaon,
Post- Hasanpur Road Sugar Mill, District- Samastipur, at present posted as
Pharmacist Under Civil Surgeon, Samastipur
7. Anil Kumar Roy, Son Of Sri Ram Pavitra Roy Resident of Village- Rampur
Rajawa, P.O.- Hasanpur Sugar Mill, District- Samastipur, at present posted as
Pharmacist Under Civil Surgeon, Samastipur
8. Bal Krishna Mehta, Son Of Sri Bhola Mahto Resident Of Village- Gari
Bishanpur, P.O. & P.S.- Peri Bazar, District- Lakhisarai, at present posted as
Pharmacist, Rajendra Nagar Hospital, Patna- 16

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prashant Sinha, Advocate
For the State : Mr. Naresh Prasad, AC to SC-2
For the pvt. Resp. : Mr. P.K.Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 07-03-2017

Heard learned counsel for the appellant and learned
counsel for the respondent Nos. 4 to 7 as well as the State.

Learned Single Judge was correct in his view that a



selection process of the year 1991, completed in the year 1992 by way of appointments of private respondents, was not required to be reopened at the instance of the appellant on *ipsi dixit* after more than two decades. The rational for coming to such conclusion is correct approach to have because settled position should not be unsettled so lightly.

The appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

S.Pandey/-

AFR/NAFR	NAFR
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