

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3985 of 2017

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1. 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/s : Mr. Mritunjay Prasad Singh, Advocate
For the Respondent/s : Mr. S.D. Yadav- AAG-9

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 15-05-2017

In the matter of appointment of Auxiliary Nurse
Midwife and in the matter of granting experience for past services
rendered in the matter of recruitment of Auxiliary Nurse Midwife,
this petition has been filed in public interest.

It has been laid down by the Hon'ble Supreme Court in
the case of Bholanath Mukherjee & Ors. vs. Ramkrishna Mission
Vivekanand Centenary College & Ors., (2011) 5 SCC 464, and
recently by the Delhi High Court in the case of Forum of SC & ST
Legislators & Parliamentarians vs. O.N.G.C. Ltd. & Anr. (W.P.(C)
No.1698 of 2017) decided on 27.2.2017, that in connection with a
service dispute and matter particularly with regard to appointment to



a post or service, no Public Interest Litigation will lie.

We are, accordingly, not inclined to interfere into the matter in this Public Interest Litigation.

Liberty shall be available to the aggrieved persons who had participated in the selection process or who are aggrieved by non-grant of marks for experience, to ventilate their grievance in accordance with law before an appropriate forum.

The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	20.5.2017
Transmission Date	N/A

