

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6547 of 2017

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Akhileshwar Dwivedi, son of Sri Ram Hari Dwivedi, resident of Village-
Chakari, P.S.- Darauli, District- Siwan.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Chairman, Chairman, State Health Society, Pariwar Kalyan Bhawan, Sheikhpura, Patna- 14.
3. The Executive Director, State Health Society, Bihar, Patna.
4. The District Magistrate-cum-the Chairman, The District Health Society, Siwan.
5. The Secretary-cum-Civil-Surgeon-Chief Medical Officer, Siwan.
6. The District Program Manager, District Health Society, Siwan.
7. The Conducting Officer-cum-Additional Chief Medical Officer, Sadar Hospital, Siwan.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra, Adv.
For the Respondent/s : Mr. Chandra Shekhar Singh, AC to GA-10
For the State Health Society: Mr. K.K.Slinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 04-08-2017 Heard Mr. Satish Chandra Mishra, learned counsel for the petitioner, Mr. Chandra Shekhar Singh, AC to GA-10, for the State and Mr. Kishore Kumar Sinha, learned counsel for the State Health Society.

The grievance raised by the petitioner stands noted in the order of this Court passed on 11.7.2017. According to the petitioner, although his name figured at the top of the interim merit list present at Annexure 8, yet in the final list of selected candidates for appointment as Para Medical Worker enclosed at Annexure 9, it is missing. The petitioner at a loss to understand as



to the reason for his non-selection, has approached this Court and when the State was directed to file counter affidavit. A counter affidavit has been filed and it is in reference thereto that Mr. Singh, learned State Counsel, submits that as per marks awarded on educational qualification at the Matriculate level, Intermediate level, working experience on the health centre and as Para Medical worker as well as for having computer knowledge, present at Annexure 8, the petitioner could collect only 42 marks. Mr. Singh with reference to Annexure 8 submits that the petitioner secured 49.5 marks in Matric and thus, as per guidelines was entitled to 2 marks. The petitioner secured 61.8 marks in Intermediate and thus, as per guidelines was entitled to 5 marks. He further submits that even if his work experience is accepted on the face value, he would be awarded 15 marks on PMW training and equal marks for experience in the health sector. It is submitted that as per guidelines 5 marks are to be awarded for six months computer knowledge, which in total would come to 42. He next refers to the final select list at Annexure 'D' to submit that of the ten posts year-marked for general category, the last candidate had secured 42 marks and since he is senior in age, hence as per guidelines he has been offered appointment. He, thus, submits that on merits the petitioner can not have any grievance.



Having heard learned counsel for the parties and considering the explanation to the non-selection of the petitioner so submitted by Mr. Singh, no cause for indulgence is made out.

The writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

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