

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6104 of 2016

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1. Bina Kumari @ Veena Kumari wife of Sri Manoj Kumar Resident of Village - Malipur Pakari, P.S. - Sitamarhi (Town), District - Sitamarhi.
2. Bandana Kumari wife of Sri Anuj Kumar Resident of Village - P.O. + P.S. - Bajpatti, District - Sitamarhi.

.... Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Special Secretary, Department of Health, Govt. of Bihar, Patna.
3. The Special Director, Department of Health, Govt. of Bihar, Patna.
4. The Secretary Department of Personal and Administrative Reforms Govt. of Bihar, Patna.
5. The Secretary, Department of Finance Govt. of Bihar, Patna.
6. The Director-in-Chief, Directorate, Health Services, Govt. of Bihar, Patna.
7. The Secretary Health Department Govt. of Bihar, Patna.
8. The Bihar Staff Selection Commission through its Secretary.
9. The Chairman, Bihar Staff Selection Commission, Bihar, Patna.
10. The Civil Surgeon-Cum-Chief Medical Officer, Sitamarhi.
11. The District Magistrate, Sitamarhi.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.
For the Respondent/s : Mr. Deepak Sahay Jamuar, AC to AAG04
For the SSC : Mr. Satyam Shivam Sundram, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 06-04-2018 Heard the parties.

While the petitioners claim appointment on permanent basis on the post of Auxiliary Nurses Midwifery ('ANM for the sake of brevity), the claim has been resisted by the Bihar Staff Selection Commission through their counter affidavit filed, a copy of which was served on the learned counsel for the petitioners on 9.5.2016. At paragraph 5 it is stated that although the petitioners secured more than the qualifying marks but since their marks was



below the candidate last selected in the merit list, that their names did not find place in the merit list. It is further stated that while the appointments pursuant to Advertisement No. 03030114 is over, selection had begun against Advertisement No. 03010216.

Having heard learned counsel for the parties and in view of the statement in the counter affidavit that the petitioners did not make it to the merit list because of their low marks even though having qualified in the written examination, I am not persuaded to grant indulgence to the prayer made.

The writ petition is accordingly disposed of.

(Jyoti Saran, J)

Surendra/-

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