

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.183 of 2016

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Raj Kumar Paswan, Son of Sri Lalu Paswan Resident of Village-
Gamhariya, P.S.- Ben Patti, P.O.- Manpour, District- Madhubani

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna
2. The Director-in-Chief Health Service, Government of Bihar, Patna
3. The Executive Director Bihar State Health Society, Patna
4. The District Magistrate-cum-Chairman of District Health Society, Hospital Campus, Madhubani.
5. The Civil Surgeon-cum-Member Secretary of District Health Society, Madhubani.
6. The Regional Programme Manager, Health Service Darbhanga Division, Darbhanga.
7. The Regional Dy. Director, Health Services Darbhanga Division, Darbhanga.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava, Adv.

For the Respondent/s : Mr. Sanjay Kumar, AC to SC-15

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 15-01-2018 Heard Mr. Rakesh Kumar Shrivastava, learned counsel

for the petitioner and Mr. Sanjay Kumar, learned AC to SC-15, for

the State.

The petitioner having participated in the selection process initiated through advertisement at Annexure 3 and having failed in the same has now come up to question the same, inter alia, on grounds of infirmity present in the process and relying upon an earlier selection process of 2012 vide Annexure 1.

A counter affidavit is on record and in which it is stated that the petitioner has failed on merits and the vacant post of



Scheduled Caste was filled up by Akhilesh Paswan who was higher to the petitioner in the merit list.

Having heard learned counsel for the parties and considering that the petitioner never chose to question the incomplete selection process initiated vide Annexure 1 in 2012 rather participated in the fresh selection process initiated vide Annexure 2 after 2 years in 2014, he can neither be permitted to rely on the earlier process or question the present one where he has failed to secure appointment on merits in the S.C. category.

There is no merit in the writ petition which is dismissed accordingly.

(Jyoti Saran, J)

Surendra/-

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