

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4546 of 2016

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Lalita Devi, wife of Chandraman Chaudhary, resident of Village- Barharwakala,
P.S.- Kotwa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department,
Government of Bihar, New Secretariat, Patna.
2. The Joint Director, Health Services, Government of Bihar, Patna.
3. The Civil Surgeon -cum- Chief Medical Officer, East Champaran, Motihari.
4. The Incharge Medical Officer, Primary Health Centre, Chakiya, East
Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava, Adv.
Mr. Virendra Kuar, Adv.
For the Respondent/s : Mr. Ravi Verma, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 04-01-2018

Heard Mr. Shri Prakash Srivastava, learned counsel
appearing for the petitioner and Mr. Ravi Verma, learned Assisting
Counsel to Government Pleader No.4 for the State.

The petitioner is aggrieved by the order bearing Memo
No.2367 dated 24.11.2015 issued by the Respondent no.3 i.e. the
Civil Surgeon –cum- Chief Medical Officer, East Champaran,
whereby the petitioner has been directed to produce the original
certificate of having passed the Madhyama examination inasmuch
as at the relevant time the minimum qualification required for
appointment as Auxiliary Nursing Midwifery ('ANM' for the sake
of brevity) was Class VIII passed.



It is more than two years since the impugned order was issued but neither the petitioner has been able to produce the duplicate certificate of having passed her Madhyama Examination nor the photo copy of the same. In my opinion a period of two years was sufficient for the petitioner to satisfy the query and having failed to do so either before the Civil Surgeon –cum- Chief Medical Officer, East Champaran or before this Court, the circumstances do not persuade this Court to interfere with the show cause notice impugned herein, for it is for the petitioner to satisfy the Civil Surgeon –cum- Chief Medical Officer, East Champaran by production of certificate of holding the prescribed qualification.

The writ petition is disposed of.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09-01-2018
Transmission Date	NA

