

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4128 of 2019

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Dr. Asif Ahmad Khan son of late Abdul Moiz Khan, resident of Mohalla-
Kashitakiya, P.S Bihar Sharif, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department Health and Medical Education,
Government of Bihar Patna
3. The Secretary Health Service, health Department, Government of Bihar,
Patna Bihar
4. The Special Secretary Health Services, Government of Bihar, Patna Bihar
5. The Joint Secretary Health Services, Government of Bihar, Patna Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nirmal Kumar Sinha
For the Respondent/s : Mr. Binod Kr. Yadav (SC-18)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 06-03-2019

The petitioner has approached this Court for quashing
of the notification dated 22.01.2019 of the Orthopedic
Department for appointment of Senior Resident in Medical
Colleges of the State.

2. The aforesaid notification has been challenged on
the grounds that the rules made in that regard viz. the rules
for senior residents/tutors with respect to their appointments
on such tenure post has not been followed with respect to the
percentage which was fixed for three categories of the feeder



doctors viz. members of Bihar State Health Service who has to be given forty percent posts, the doctors having completed PG course/under residency scheme from State medical colleges also have to be given forty percent of the posts and remaining twenty percent is required to be given to senior residents/tutors from amongst doctors who have obtained PG degree in residential scheme from the recognized institutes outside the State.

3. The learned counsel for the petitioner has submitted that the representation which was filed by the petitioner and some other doctors before the Principal Secretary, Department of Health, Government of Bihar has not yet been acted upon.

4. This Court deems it appropriate to direct the petitioner to make a fresh representation before the Principal Secretary, Government of Bihar, detailing his grievances within a period of two weeks from today. On receipt of the same, the concerned respondent shall dispose off the representation by a reasoned order within a period of four weeks thereafter. All the grounds which have been raised in the present petition shall be



urged in aforesaid representation and the concerned respondent shall be under an obligation to deal with all such grievances of the petitioner while passing the order.

5. With the aforesaid observation and direction, the writ petition is disposed off.

(Ashutosh Kumar, J)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	08.03.2019
Transmission Date	

