

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6872 of 2019

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Manorama Wife of Braj Bhushan Pandey Resident of Mohalla- Chanakya
Vihar Colony, Brahampur, Jaganpura, P.S. Ram Krishna Nagar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Health, Bihar, Patna.
2. The Director -in-Chief, Department of Health, Bihar, Patna.
3. Bihar Staff Selection Commission, Bihar, Patna through its Secretary, Bihar, Patna.
4. The Chairman, Bihar Staff Selection Commission, Bihar, Patna.
5. The Civil Surgeon Cum-Chief Medical Officer, Cum-Member Secretary, District Health Society, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar, Advocate
For the Respondents	:	Mr. Manoj Kumar Yadav, AC to GA-10
For the BSSC	:	Mr. Alok, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 26-04-2019

Heard the learned counsel for the parties.

2. The petitioner has challenged the merit list of A.N.Ms. published by Bihar Staff Selection Commission, Patna wherein though the roll number of the petitioner finds mention in the merit list, but her result has been withheld because of existence of a SIT case.

3. It is the case of the petitioner that she has been working as A.N.M. on contract basis since 2007 and had applied for being taken in regular service against an advertisement dated 17.02.2016. The merit list contains



the roll number of the petitioner but the result has been withheld for the reason stated above.

4. It is the categorical assertion of the petitioner that no notice as yet has been served upon her to inform her that she is subject of investigation in any case. The petitioner, it has been urged, is entitled to know which case is pending against her and with what charges. Withholding of the result by taking shelter of the mere existence of the SIT Case would not be appropriate. Withholding of result has serious implications and in the absence of clear explanation to the petitioner about the reason for not publishing her result definitely speaks of lack of transparency in the selection process, which cannot be countenanced.

5. The petitioner is directed to make a representation before the Chairman, Bihar Staff Selection Commission, Bihar, Patna (respondent no. 4) within a period of one week from today, who, on receipt of the same shall dispose of such representation by a reasoned order within a further period of two weeks thereafter.

6. Such short time has been given for disposing of the representation of the petitioner for the reason that it has been submitted on behalf of the petitioner that the counseling process is to start shortly. The details of the SIT Case, if at all it concerns the petitioner, ought to be



given to her, unless the investigation has to be carried out sub-rosa. If any such decision to carry out the investigation under a cloak of secrecy has been taken then perhaps, the Chairman of the Commission shall be required to consider the feasibility of considering the case of the petitioner, the outcome of which would be subject to the result of the investigation in the aforesaid case.

7. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.04.2019
Transmission Date	

