

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8670 of 2015

Dr. Ram Dayal Ram Son of Late Khekhar Ram Resident of Village and P.O.-
Pakri Mohammad , P.S.- Amnaur, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Health , Government of Bihar, Patna.
2. The Principal Secretary, Department of Health , Government of Bihar, Patna.
3. The Secretary cum Executive Director, State Health Society, Government of Bihar, Patna.
4. The State Health Society, Bihar, through it's Executive Director at Pariwar Kalyan Bhawan , Sheikhpura, Patna
5. The Executive Director , State Health Society, Bihar at Pariwar Kalyan Bhawan, Sheikhpura, Patna
6. The Additional Executive Director, State Health Society, Bihar at Pariwar Kalyan Bhawan, Sheikhpura, Patna

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Ms. Rajni Kumari
For the State	:	Mr. M.K.Upadhyay, AC to GP 3
For Respondents 3 to 5	:	Mr. K.K.Sinha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 25-09-2019 Heard learned Counsel for the petitioner and the learned
counsel for the respondent State as well as State Health Society.

Petitioner applied pursuant to an advertisement issued in February 2015 for contractual employment as a Monitoring and Evaluation Officer. The petitioner complains that he has wrongly been deprived of the selection though he was possessing all the requisite qualification for the same. It is his case that on the basis of an unknown criteria/guidelines applicants have been shortlisted.

The criteria for selection, as per Counsel for the



respondents, was specified in the advertisement pursuant to which the petitioner had applied. Being a schedule caste category candidate he was considered for selection in the process. Because in the process of scrutiny he was not found to be within zone of consideration on merit he was not called for interview and is not amongst six candidates to whom interview letters were issued. Out of the six candidates in the scheduled caste category, two have been selected. The petitioner has been excluded in the process of selection because other six candidates who were called for interview, were better in merit than the petitioner as per defined weightage and other requirements for selection. The petitioner has been excluded on account of appreciation of merit of the candidates competing in the process of selection. Since he was beyond the zone of consideration, the petitioner has not been selected in the process.

The specific averments to this extent in the counter affidavit of the respondent State Health Society has not been denied or disputed by the petitioner though copies were served earlier and adjournment was granted to enable the petitioner's counsel to file a rejoinder.

In view of the aforesaid facts, this Court does not find any case to interfere with the selection of other persons, more so for the reasons that they have not appeared in this case and have not been arrayed as respondents in the writ petition. The petitioner being beyond the zone of consideration has rightly been excluded.

The writ petition is dismissed.

(Madhuresh Prasad, J)

SNkumar/-

U			
---	--	--	--

