

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3748 of 2018

In
Civil Writ Jurisdiction Case No.9084 of 2017

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Dr. Ashok Kumar Son of Sri Bacha Prasad Singh, Resident of C-19, Krishi Nagar, A.G. Colony, Ashiyana Nagar, Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar, Through The Principal Secretary, Department Of Health, Govt. Of Bihar, Patna an
2. Sanjay Kumar, The Principal Secretary, Department of Health and Medical Education, Govt. of Bihar,
3. Amir Sahani, The Principal Secretary, General Administrative Department, Govt. of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar
For the Opposite Party/s : Mr.Rajeshwar Singh GA- 10

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

- 4 03-04-2019 The petitioner alleges disobedience of this Court's order dated 02.04.2018, passed in CWJC No. 9084 of 2017 (Dr. Sudhir Kumar and ors. Vs. State of Bihar). The controversy in case of **Dr. Sudhir Kumar and others Vs. State of Bihar and ors** (supra) related to filling up of backlog vacancies for reserve category candidates in Medical Colleges under the State of Bihar. The present case relates to filling up of vacancies in Indira Gandhi Institute of Medical Science. The gist of the petitioner's grievance is that the respondents have not followed the decision in case of **Dr. Sudhir Kumar and others** (supra)



for making selection against various teaching posts in I.G.I.M.S. In my view, no case of deliberate disobedience of this Court's order can be said to be made out since I.G.I.M.S cannot be said to be a College under the Health Department of the State of Bihar. If it is the petitioner's case that the action of the respondents in adopting selection procedure as has been adopted by them for appointment to various teaching posts in I.G.I.M.S. is contrary to law as discussed by this Court in case of **Dr. Sudhir Kumar** (supra), they could have availed the appropriate remedy, in accordance with law but not by filing an application of contempt alleging disobedience of this Court's order.

No case of deliberate disobedience of this Court's order which can be said to be amounting to contempt of Court is made out.

This application is, accordingly, dismissed.

The petitioner shall be at liberty to take appropriate steps for redressal of his grievance, in accordance with law.

(Chakradhari Sharan Singh, J)

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