

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14279 of 2019

Prabhakar Kumar S/o Gauri Shankar Singh Resident of Village Sungathia,
PO- Barai, PS and Dist. Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department,
Govt. of Bihar, Patna
2. The Executive Director, State Health Society, Bihar, Patna
3. The Divisional Commissioner, Munger Division, Munger
4. The Regional Additional Director, Health Services, Bihar, Patna
5. The District Magistrate-cum-Chairman, District Health Society, Khagaria
6. The Civil Surgeon-cum-Secretary, District Health Society, Khagaria

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar Agrawal, Advocate
For the State Health Society	:	Mr. K.K. Sinha, Advocate
		Mr. Shashi Shekhar, Advocate
For the State	:	Mr. Kamlesh Kishore, AC to SC-12

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-07-2019 The petitioner along with others appeared in counselling for being considered for the post of Block Community Mobilizer for which an advertisement was issued for filling up four posts in the district of Khagaria.

It has been submitted on behalf of the petitioner that six persons were shortlisted, one being the petitioner but three persons have been kept in waiting list.



It appears that because of the reservation roster with one post earmarked for reserved female category, three persons have been shortlisted.

The grievance of the petitioner is that out of the shortlisted candidates, he is the only person with post-graduation degree in Sociology, one of the social science subjects and therefore in accordance with the terms of the advertisement, he ought to have been given preference over others. As far as the petitioner knows, no other candidate has post-graduation degree in anyone of the social science subjects.

If this be so, it has been urged on behalf of the petitioner, he should not have been wait-listed.

It has further been submitted that in other districts where such appointments have been made, preference has been given to post-graduates in social sciences subject as this is the requirement State wise, notwithstanding the fact that every district has come out with separate advertisements but the requirements in all



such advertisements are similar.

The petitioner, therefore is directed to make a representation before the District Magistrate-cum-Chairman, District Health Society, Khagaria (respondent No. 5) within a period of three weeks from today, who, on receipt of such representation shall look into the matter and if it is found that the petitioner deserves to be appointed on the vacant post with preference being given towards his candidature for his being a post-graduate in social science stream, necessary reasoned order shall be passed in accordance with law within a further period of six weeks.

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

(Ashutosh Kumar, J)

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