

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12369 of 2011

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SUNITA KUMARI W/O Vijay Kumar Mishra R/O Vill.- Mokama
Shankarwar Tola, P.S.- Mokama, Distt.- Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR and ORS
2. Director, Health Services, Government Of Bihar, Patna
3. Secretary, Bihar Health Society, Government Of Bihar, Patna
4. Chairman, District Health Society-Cum-District Magistrate, Buxar
5. Secretary, District Health Society-Cum-Civil Surgeon, Buxar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar
For the Respondent/s : Mr.Manish Dhuri Singh, AC to AG

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 29-07-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Petitioner in the writ petition has claimed a direction upon the respondent-authorities for appointing her as Axillary Nurse Midwifery (ANM). Petitioner had applied in response to advertisement dated 13.04.2010.

Counter affidavit discloses that the petitioner's name found place in the select list at serial no. 54. There were only 40 vacancies, 20 in general category (petitioner's category). The petitioner could not be selected because she has secured less mark than the last candidate who was offered appointment.

In the circumstance, this court would observe that the



petitioner cannot assert any claim as she was beyond the zone of consideration. However, he submits that she should be given liberty to participate in future vacancy.

In respect of said submission, no specific direction is required from this court as candidature of the petitioner would be subject to terms and conditions of the selection as and when it is done in respect of future vacancy.

Writ petition is disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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