

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3597 of 2020

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Archana Singh Daughter of Late Ramkishore Prasad Singh, Resident of
Village- Darihara (Bhual), P.O. Darihara, P.S. Dariyapur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, Health Department, Govt. of Bihar, Patna.
4. The Principal Secretary, General Administration Department, Govt. of Bihar,
Patna.
5. The Bihar Technical Service Commission through its Chairman, Patna.
6. The Secretary, Bihar Technical Service Commission, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prashant Sinha, Adv
For the Respondent/s : Mr.S.D. Yadav (AAG9)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-02-2020 This petition filed on 05.09.2018 is listed for hearing
for the first time today before the Court.

Petitioner has prayed for the following reliefs:-

"(i) For necessary direction upon the respondent
authorities to fill all the vacant posts of the AYUSH Doctors
(including Ayurvedic, Homeopathic and Unani) in the State
Govt. inasmuch as, even after a direction issued by this
Hon'ble Court in CWJC No. 17008/2016 on 11.09.2018 to
complete the selection process of AYUSH Doctors within a
period of six months, the State Govt. has failed to fill the



vacant posts of about 3000 AYUSH Doctors in the State of Bihar and till today even the advertisement has not been published.

(ii) For holding that by not complying with the direction contained in order dated 11.09.2018 passed in CWJC No. 17008/2016 to fill all the vacant posts of AYUSH Doctors in the State of Bihar, the respondent authorities have committed contempt of court."

It is seen that even on earlier occasion, this Court has reiterated in its judgment and order dated 11.09.2018 passed in CWJC No. 17008 of 2016 (Gajanan Arun vs State of Bihar & Ors) and directed all vacant posts to be filled up.

From para 8 of the counter affidavit, dated 18.02.2020 filed on behalf of respondent no. 3, it is now clear that steps in this regard stands taken. Para 8 of the affidavit reads as under:-

"That the answering respondents has already communicated to Under Secretary, General Administration Department, Govt. of Bihar, Patna, for filing of the vacant post of all the AYUSH Doctors(including Ayurvedic, Homeopathic and Unani) in State Government vide series of the letters vide Memo No. 111 (Aa Chi), dt. 24.01.2020, Memo No. 106 (Aa Chi), dt. 24.01.2020, Memo No. 107 (Aa Chi), dt. 24.01.2020, Memo No. 108 (Aa Chi), dt. 24.01.2020, Memo No. 109 (Aa Chi), dt. 24.01.2020 and Memo No. 110 (Aa Chi), dt. 24.01.2020, which is being brought on record for ready reference of the court."

As such, we dispose of the present petition with a



direction to the Bihar State Technical Service Commission,
Patna, to positively conclude the process at the earliest and not
later than 9 months from today, unless the statute provides so.

(Sanjay Karol, CJ)

(S. Kumar, J)

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