

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6758 of 2020

1. Dr. Aishwarya Saxena son of Late Sri Rajiv Saxena resident of B 1/2 Maruti Clinic, Vashistha Vihar Colony, P.O.- Anisabad, Harnichak, Police Station-Phulwarisharif, District- Patna
2. Dr. Shilpi Verma wife of Dr. Ashwarya Saxena resident of B 1/2 Maruti Clinic, Vashistha Vihar Colony, P.O.- Anisabad, Harnichak, Police Station-Phulwarisharif, District- Patna
3. Pravin Prasad son of Ramadhin Sah resident of Sai Kutir, Purani Kankarbagh, P.O.- Lohianagar, P.S.- Patrakar Nagar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health, Government of Bihar, patna
2. The Chairman, Bihar Public Service Commission, Bailey Road, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Nutan Mishra, Advocate
For the Respondent/s : Mr. Ajay Bihari Sinha (GA 8)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 21-12-2021

Heard learned counsels for respective parties.

In the instant petition, petitioners have prayed for the following reliefs:-

“(i) For their absorption in the Bihar Government Service, giving due weightage to their experience, in consonance with the judgment and order dated 17.12.2019 as passed in the case of Dr. (Major) Meeta Sahai in Civil Appeal No. 9482 of 2019 arising out of S.L. P. (Civil) No. 12245 of 2017.

(ii) For any other relief/reliefs to which the petitioners may



be entitled by way of filing of the present writ petition.”

Inadvertently, petitioners have mentioned that due weightage to their experience is for the regular recruitment to the Medical Officers post and not for absorption as stated in the pleadings. If there is a statutory provision for giving weightage to their experience for the post of regular recruitment to the Medical Officers post and other related post the same shall be taken note with reference to decision of Hon’ble Apex Court dated 17.12.2019 read with Civil Appeal No. 9482 of 2019 arising out of SLP (Civil) No. 12245 of 2017. If petitioners otherwise eligible for weightage with reference to their experience the same shall be extended in accordance with the relevant provision of law read with the aforesaid decision for future regular recruitment.

With the aforesaid observations, the present writ petition stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

