

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 7433 of 2020

Shankar Prasad S/o Late Vinod Kumar Shah Resident of Village and Post-
Lakhanpur, P.S.- Tarapur, District- Munger, at present residing near S.S.B.
Camp, Om Nagar, Araria, P.S.- Araria, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principle Secretary, Health Department,
Government of Bihar at Patna.
2. The Principle Secretary, Health and family Welfare Department,
Government of Bihar at Patna.
3. The Director-in- Chief Health Services, Govt. of Bihar, Patna.
4. Bihar Staff Selection Commission Through its Secretary, Patna.
5. The Chairman Bihar Staff Selection Commission, Patna.
6. The Secretary Bihar Staff Selection Commission, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Adv.
For the Respondent/s : Mr. Manoj Kumar, AC to SC-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 14-07-2021

The instant case has been taken up for
consideration through the mode of Video
conferencing in view of the prevailing situation on
account of COVID 19 Pandemic, requiring social
distancing.



The present writ petition has been filed by the petitioner for directing the Respondents authority to consider the case of the petitioner for appointment on the post of Laboratory Technician in terms of advertisement no. 05010115/2015, treating the certificate of the petitioner of M.L.T. (Medical Laboratory Technician), equivalent to D.M.L.T.

The learned counsel for the petitioner has submitted that the present case is squarely covered by a judgment dated 03.03.2021, passed by a coordinate Bench of this Court in CWJC No. 6761 of 2020 (***Sudisht Kumar Mahato vs. The State of Bihar & Ors.***) and other analogous cases.

Per contra, the learned counsel for the State, Sri Manoj Kumar (AC to SC-12), has submitted that the matter be remanded to the Principal Secretary, Health and Family Welfare Department, Government of Bihar, Patna, who shall examine



the matter and do the needful.

Accordingly, the present writ petition stands disposed of with liberty to the petitioner to file appropriate representation before the Principal Secretary, Health and Family Welfare Department, Government of Bihar, Patna, enclosing a copy of the aforesaid judgment dated 03.03.2021 passed in the case of ***Sudisht Kumar Mahato*** (supra), whereupon the learned Principal Secretary, Health and Family Welfare Department, Government of Bihar, Patna, shall examine the same and take a decision as to whether the present case is covered by the aforesaid judgment passed in the case of ***Sudisht Kumar*** (supra) or not and pass a speaking and a reasoned order, in accordance with law, within a period of four weeks, thereafter.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

