

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5772 of 2020

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Mintu Kumari Wife of Anil Kumar Shukla Resident of Village and P.O.-
Khabra, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Special Secretary, Department of Health, Government of Bihar, Patna.
3. The Director-in- Chief Directorate of Health Service, Govt. of Bihar, Patna.
4. The Special Director Department of Health, Govt. of Bihar, Patna.
5. The Secretary Department of Health, Govt. of Bihar, Patna.
6. The Civil Surgeon-cum- Chief Medical Officer Muzaffarpur.
7. The Chairman Bihar Staff Selection Commission, Vetanary College Campus, Patna-14.
8. The Secretary Bihar Staff Selection Commission, Vetanary College Campus, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Advocate
For the Respondent/s : Mr.Mujtabaul Haque (GP-12)

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

3 06-01-2022 The matter is heard via video conferencing due to
circumstances prevailing on account of Covid-19 pandemic.

In the instant petition, petitioner has prayed for the
following reliefs;-

“ For issuance of a writ in the
nature of writ of Mandamus directing
and commanding upon the respondents
to recommend the name of the petitioner
for appointment to the post of Auxiliary



Nurse Midwife (ANM) keeping in mind that she has been awarded 25 marks of working experience and after adding this marks, the marks becomes more than the cut- off marks. The respondents for male fide reason marks of working experience has not added, which created undue discrimination against the petitioner inasmuch as the similarly situated person have been given marks of working experience and recommended for appointment. And/or pass such other orders/ directions as your lordship may deem fit and proper. ”

Petitioner is candidate for recruitment to the post of Auxiliary Nurse Midwife (ANM). Her grievance is that she has not been awarded marks for work experience. In this regard petitioner is stated to have submitted representation. Therefore, the Selecting/ Appointing Authority are hereby, directed to take note of petitioner's grievance and pass speaking order within three months. In the event of petitioner securing more marks then the last candidate to the post of (ANM) necessary notice



shall be issued to such persons before taking action on the petitioner's representation.

With the aforesaid observation, the instant petition stands disposed of.

(P. B. Bajanthri, J)

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