

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9271 of 2020

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1. Asrar Ahmad S/o Md. Khalil Resident of Village- Pratappatti, P.O.- Kurnowl, P.S.- Sahebganj, District- Muzaffarpur, Pin- 843125.
 2. Dharmendra Kumar S/o Satyendra Kumar Singh Resident of Village- Kharaicha P.O. and P.S.- Agiaon, District- Bhojpur, Pin- 802201.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Vikash Bhawan, New Secretariat, Patna.
3. The Deputy Secretary-cum- Incharge, Human Resources State Health Society, Bihar, Patna.
4. The Executive Director, State Health Society, Bihar, Patna.
5. The District Magistrate-cum- Chairman, Selection Committee, District Health Society, Bhojpur at Ara.
6. The Deputy Development Commissioner-cum- Deputy Chairman, Selection Committee District Health Society, Bhojpur Ara.
7. The Civil Surgeon-cum- Member Secretary District Health Society, Bhojpur at Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Surendra Mishra, Advocate
For the Respondent/s	:	Mr.Lalit Kishore (Ag)
	:	Mr. Birju Prasad, GP 13
	:	Mr. Ajit Anand, AC to GP 13

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

Date : 03-01-2022

Heard learned counsel for the parties.

2. State counsel accepts notice for Respondent Nos. 1 to

7.



3. In the instant petition, petitioners have prayed for the following relief/reliefs:

“(i) For direction upon the respondents authorities concern to consider the case of the petitioners for their selection/employment to the post of Block Health Manager against the available vacancies due to non joining of serial no. 1. *Yasraj* and due to resignation of serial no. 3. *Nasar Nasim* two posts of Block Health Manager of general category are still vacant which are to be filled up from the same panel/waiting list and since the petitioners are next qualified person in the waiting list as such the petitioners are legally entitled for selection against the available vacancies.

(ii) For direction upon the respondents to grant any such other relief or reliefs for which the petitioners are found legally entitled in the facts and circumstances of the case.”

4. Petitioners' grievance is that petitioners are candidates for the post of Block Health Manager. They are entitled for selection and appointment on account of non-joining of Serial No. 1 *Yasraj* and due to resignation of Serial No. 3 *Nasar Nasim*. In this regard petitioners were stated to have submitted representation and it is pending consideration before the selecting and appointing authority as stated in the present petition. Therefore, the concerned respondent is hereby directed to redress the grievance of the petitioners as to whether they could be accommodated against the post of Block Health Manager on account of non-joining of Serial No. 1 *Yasraj* and due to resignation of Serial No. 3 *Nasar Nasim* or not? Such a decision should be taken within a period of two months from the date of receipt of this order.



5. With the above observation, writ petition is disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	07.01.2022
Transmission Date	

