

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9983 of 2020

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1. Sonu Kumar Son of Upendra Das Resident of Village- Basudeopur Chandel, P.O.- Basdeopur, P.S.- Mahnaar, District- Vaishali at Hajipur.
 2. Anshu Kumari Daughter of Kamakhya Narayan Mishra Resident of Village- Bishambharpur, P.O. Jaitpur Estate, P.S. Saraiya, District- Muzaffarpur.
 3. Anya Sharma Daughter of Shyam Nandan Sharma Resident of Village- Bariyarpur, P.S.- Bariyarpur, District- Munger.
 4. Puja Bharti Daughter of Chandradeo Sah Resident of Daparkha, Ward No.11, Near Shiv Mandir, P.O. Daparkha, P.S. Supaul, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Director-in-Chief, Health Services, Bihar, Patna.
4. The State Health Society, Bihar, Patna through the Executive Director.
5. The Executive Director, The State Health Society, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the Respondent/s	:	Mr. S.D. Yadav, AAG-9
		Mr. Kishore Kumar Sinha, Advocate

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

Date : 03-02-2022

This matter is heard via video conferencing due to circumstances prevailing on account of COVID-19 Pandemic.

2. Heard learned counsel for the parties.

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

“(I) For issuance of an appropriate in the nature of **MANDAMUS** commanding and directing the Respondent State Health Society, Bihar to insert the qualification of Sanitary Inspector’s Course for appointment to the post of Senior Treatment Supervisor (STS) as mentioned at serial no.4 in



Advertisement No.06/2020 issued under the signature of Respondent no.5 on the ground that according to the guidelines issued by the Central Government under Revised National Tuberculosis Program and guidelines issued by the State Health Society as well as previous advertisement for appointment, the candidate having qualification of Recognized Sanitary Inspector's Course are eligible for appointment to the post of Senior Treatment Supervisor (STS).

(II) For a declaration that the candidate having qualification of Sanitary Inspector's Course are eligible for appointment to the post of Senior Treatment Supervisor.

(III) For issuance of an appropriate writ in the nature of **MANDAMUS** commanding and directing the Respondent State Health Society, Bihar to permit the candidates having qualification of Recognized Sanitary Inspector's Course including the petitioners to submit their on-line application for their appointment to the post of Senior Treatment Supervisor (STS) on the basis of their qualification of Recognized Sanitary Inspector's Course as also treat the maximum age as on 1st July, 2020 in place of 1st January, 2020.

(IV) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioners would be found entitled under the facts and circumstances of the case.”

4. Short question for consideration is whether the petitioners are entitled to insertion of qualification of Sanitary Inspector Course for appointment to the post of Senior Treatment Supervisor (STS) or not?



5. Learned counsel for the petitioners submitted that the Central Government and the State Government have taken a decision for the purpose of recruitment to the post of Senior Treatment Supervisor, the necessary qualification would be Sanitary Inspector Course. At the same time, learned counsel for the petitioners has not pointed out as to whether there is any amendment to the relevant Rules of recruitment, governing the post of Senior Treatment Supervisor in terms of the policy decision of the Central Government and the State Government or not?

6. In this regard, the competent authority is hereby directed to examine as to whether any amendment could be brought while incorporating Sanitary Inspector Course for selection and appointment to the post of Senior Treatment Supervisor or not? If it is permissible at this juncture, the same shall be examined and decision may be taken within a period of three months from the date of receipt of a copy of this order and communicate the same to the petitioners.

7. With the above observation, the writ petition stands disposed of.

(P. B. Bajanthri, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.02.2022
Transmission Date	NA

