

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2303 of 2021

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Mirtunjay Kumar Singh, aged about 35 years (Male), son of Shyam Sunder Singh Resident of village- Ruppur, P.S.- Bhabua, District- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary Government of Bihar Old Secretariat, Patna
3. The Principal Secretary Health Department Old Secretariat Patna
4. Director of Health Department Deputy Secretary Bihar Technical Service Commission Patna
5. Deputy Secretary Bihar Technical Service Commission, 19 Harding Road, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Pandey
For the Respondent/s : Mr. Ajay Behari Sinha, GA 8

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

Date : 27-01-2022

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Petitioner's counsel is hereby directed to serve hard copy of the petition to the learned counsel for the Bihar Technical Service Commission. Other respondents are only a formal parties.

3. In the instant petition, petitioner has prayed for the following relief/reliefs:

“That this is an application for issuance of an appropriate Writ order or direction to the respondents for inviting the Writ Petitioner for counselling on the post of General Nursing and Midwifery (GNM) Under Advertisement No. 02 of 2019 in which date of counselling for the Petitioner was fixed on 04.02.2020 but the Writ Petitioner failed to



participate on the date fixed due to sudden death of his wife Poonam Kumari who died on 04.02.2020 and in spite of several representations the respondents not provided any chance to the Petitioner to appear on any other date for the counselling though counselling continued upto 17.03.2020.”

4. Petitioner was a candidate for recruitment to the post of General Nursing Midwifery (GNM) pursuant to the advertisement No. 02 of 2019. He was invited for counselling and date was fixed as 04.02.2020. Unfortunately, the petitioner could not appear on 04.02.2020 the date on which his wife Poonam Kumari died. In the light of these facts and circumstances, petitioner submitted several representations. However, the 5th Respondent has not taken note of the petitioner’s representations and redress the grievance of the petitioner even though counselling was continued for more than one month and up to 17.03.2020. In the light of these facts, 5th Respondent is hereby directed to arrange for counselling of the petitioner within a period of one month from the date of receipt of this order. If the petitioner is otherwise eligible, her name shall be considered for selection and appointment to one of the Staff Nurse Grade A. If the process of selection and appointment is completed as on 01.12.2020, the date on which the present petition is presented. If the selection and appointment process is still in vogue, in that event, petitioner’s name shall be considered while inviting him to the counselling.



The above exercise shall be completed within a period of one month from the date of receipt of this order.

5. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	31.01.2022
Transmission Date	

