

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2417 of 2021

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Amar Kumar S/o Ram Pukar Singh R/o Village - Dohat Narain, P.S. - Baheri,
District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Bihar Staff Selection Commission through its Secretary, Veterinary College Campus, Patna.
4. The Chairman of the Bihar Staff Selection Commission, Veterinary College Campus, Patna.
5. The Secretary of the Bihar Staff Selection Commission, Veterinary College Campus, Patna.
6. The Civil Surgeon, Samastipur, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mrityunjay Kumar, Advocate
For the Respondent/s	:	Mr. Ramadhar Singh, GP 25 Dr. Ratan Kumar, Advocate Mr. Gyan Shankar, Advocate Mr. Anirudh Kumar Singh, AC to GP 25 Mr. Satyam Shivam Sundaram, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 20-04-2022

Heard learned counsel for the parties.

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

“That this is an application for
issuance of appropriate writ(s), Order (s),



Direction (s) directing the Respondents to consider and recommend the name of petitioner for appointment on the post of X-ray Technician against the existing vacancy arising out of Advertisement No. - 03010115 dated – 21.06.2015 by the Respondent No. -3.

And/ Or

Pass such any other order/orders which may deem fit and proper.”

3. Petitioner is a candidate for the recruitment to the post of X-ray Technician pursuant to the advertisement dated 21.06.2015 issued by the respondent No. 3 – The Bihar Staff Selection Commission through its Secretary, Veterinary College Campus, Patna. The respondent – department proposed to fill up 215 posts of X-ray Technician whereas they have selected and appointed only 173 posts. The reasons for non selection of the petitioner is that he has secured lesser than the cut-off marks i.e. 40 %. Such prescription of 40 % is in terms of Government notification of the GAD Department dated 16.07.2007.

4. The petitioner has not questioned the validity of prescription of cut-off marks or advertisement so as to overcome the cut-off marks and direction to the concerned respondent to consider the petitioner's claim for unfilled posts. In the light of these facts and circumstances, petitioner has not made out a case.



5. Accordingly, writ petition stands dismissed.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	25.04.2022
Transmission Date	

