

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2371 of 2023**

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Arun Kumar, Son of Late Lala Mahto, Resident of Mohalla - D.M. Colony,  
P.O. Biharsharif, P.S. - Biharsharif, District - Nalanda, Pin No. - 803101.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health Service, Govt. of Bihar, Patna.
2. The Director-in-Chief, Health Department, Health Service, Govt. of Bihar, Patna.
3. The Divisional Director, Health Services, Patna Division, Patna.
4. The Civil Surgeon-cum-Chief Medical Officer, Sadar Hospital, Nalanda.
5. The Superintendent, Sadar Hospital, Biharsharif, Nalanda.

... .. Respondent/s

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**Appearance :**

|                    |   |                                 |
|--------------------|---|---------------------------------|
| For the Petitioner | : | Mr.Satya Ranjan Sinha, Advocate |
| For the State      | : | Mr.Ramadhar Singh, GP-25        |
|                    |   | Mr.Harendra Kumar, AC to GP-25  |

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

4      24-08-2023                      1. Heard learned counsel for the petitioner and  
learned counsel for the respondent-State.

2. It is not in dispute that the petitioner was not fulfilling the requisite qualification when the last exercise of promotion was undertaken from Grade-IV to Grade-III on 25.03.2017.

3. Learned counsel for the petitioner, however, submits that now a panel has been prepared afresh which is dated 16.03.2020, after the petitioner cleared the 10+2 qualification which is certified by a certificate dated 05.03.2020 (Annexure-1 to the writ petition).



4. It is not his case that from the panel of 16.03.2020 anyone has been promoted ignoring his claim, who were below him in the panel prepared on 16.03.2020.

5. In the circumstance, there is no occasion for this court to issue any direction in his favour today. This court would only observe that if and when the promotions are taken up from the panel of 16.03.2020, annexed at Annexure-6 to the reply of the counter-affidavit, the petitioner should be considered in accordance with law.

6. Writ petition is disposed of.

**(Madhuresh Prasad, J)**

shashank/-

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