

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8614 of 2019

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Ramesh Kumar Son of Sahadev Mahto, Resident of Village- Bandihuli, P.O.-
Argaa, P.S.- Badehi, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department,
Government of Bihar, Patna.
2. The Executive Director, State Health Society, Bihar Patna.
3. The District Magistrate-cum-Chairman, District Health Society, Darbhanga.
4. The Civil Surgeon-cum-Member Secretary, District Health Society,
Darbhanga.
5. The District Accounts Officer, Darbhanga.
6. The A.C.M.O. Darbhanga.
7. Kumud Ranjan Kumar, Son of Shiv Prasad Yadav, Resident of 91/C, B.L
Saha Road, Kolkata- 700053.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate
For the Respondent/s : Mr. Anirudh Kumar Singh (AC to GP-25)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 07-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that the
present writ petition has been filed directing the respondent-
authority to cancel the selection/appointment of respondent
No.7, who has been selected on the post of Block Health
Manager by virtue of advertisement dated 05.04.2018 by
District Health Society, Darbhanga. The further prayer has been
made directing the respondent to select the petitioner on the post



of Block Health Manager as he possesses all requisite qualification mentioned in advertisement dated 05.4.2018.

3. Learned counsel for the petitioner submits that petitioner is the M.B.A. in Hospital Management. He has filed application to the concerned authority but his selection has not been made. A candidate, respondent No.7, who is inferior than the petitioner has been selected.

4. Learned counsel for the State submits that counter affidavit has been filed and in the said counter he submits that a provisional merit list has been published and objection has been called for in which petitioner has filed objection and after due consideration his objection was rejected assigning the reason mentioned in Annexure-R-3/B.

5. Learned counsel for respondent submits that upon rejection of the said objection, the appointment process has been completed. Thereafter, the present writ petition has been filed raising new grounds, which has not been raised in the objection. He submits that the said advertisement is of the year 2018, appointment letter has also been issued of the same year and the persons were started working.

6. In this view of the matter that petitioner has not raised objection which he has raised in the writ petition, in the



objection before the Collector, and in the writ petition he has raised new claim. This Court is not inclined to interfere in the appointment. Therefore, the writ petition is dismissed.

(Dr. Anshuman, J)

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