

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5335 of 2023

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1. Ravi Shankar Kumar, son of Abhinandan Choudhary, resident of Ashok Nagar, P.S.- Chitragupta Nagar, District- Khagaria.
 2. Manisha Kumari Daughter of Ram Chandra Yadav, Resident of Ward No. 14, Shobhapura, P.S.- Hasanpur, District- Samastipur.
 3. Anjani Kumari Daughter of Gajendra Yadav, Resident of Ward No. 4, Suraha Basantpur, P.S.- Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of General Administration, Government of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Department of Health, Government of Bihar, New Secretariat, Patna.
4. The Director In-Chief, Health Services, Department of Health, Government of Bihar, Old Secretariat, Patna.
5. The Civil Surgeon-cum-Chief Medical Officer, Khagaria.
6. Bihar Technical Service Commission, 19, Harding Road, Patna through its Secretary.
7. The Chairman, Bihar Technical Service Commission, 19, Harding Road, Patna
8. The Secretary, Bihar Technical Service Commission, 19, Harding Road, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Arun Kumar, Advocate
For the State	:	Mr. Kamlesh Kishore, AC to SC-12
For the BTSC	:	Mr. Nikesh Chaubey, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-11-2023 1. The present writ petition has been filed seeking the following reliefs:-

“(i)For issuance of an appropriate writ (s) in the nature of Mandamus commanding the Respondents to take all necessary steps provide weightage of



experience of one year to the Petitioners and provide 5 marks to the Petitioners towards work experience in the Regular appointment of Tutor (Nursing) pursuant to Advt. No. 01/2022 as published by the Bihar Technical Service Commission, Patna by taking cognizance of the letter bearing Memo no. 542 (6) dated 9th of May 2021 of Department of Health, Government of Bihar & Experience Certificates dated 1st of June 2022 of the Civil surgeon-cum-chief Medical Officer, Khagaria.

ii. For issuance of a Writ in the nature of Mandamus commanding the Respondent Health Department, Govt. of Bihar as well as the requisitioning authority, Department of General Administration, Govt. of Bihar to issue appropriate direction/communication to the examining/recommending body (Bihar Technical Service Commission) to comply with the directives as mentioned in the letter bearing Memo no. 542 (6) dated 9th of May 2021 of Department of Health, Government of Bihar and provide 5 marks to the Petitioner as weightage towards work experience of one year.

iii. For issuance of an appropriate Writ in the nature of Mandamus commanding the Respondent Bihar Technical Service Commission to add 5 marks in the total marks towards work experience and publish the Final Merit List accordingly.”



2. At the outset, the learned counsel for the petitioner submits that as far as Advertisement No.01 of 2022, published by the Bihar Technical Service Commission, Patna, is concerned, the present writ petition has been rendered infructuous, however, the petitioners be granted liberty to agitate their claim regarding grant of weightage for the period they had worked as Nursing Staff while being final year students of Bsc. (Nursing) course, awaiting result of the final examination. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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