

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17406 of 2015

1. Gunjan Kumari Wife of Ranjan Kumar Rajan and daughter of Chandrashekhar Thakur resident of village - Rampura, P.O. Gopalpur, P.S. Kalyanpur, District - Samastipur, Presently Working as ANM in Primary Health Centre, Kalyanpur, District - Samastipur
2. Rekha Kumari Wife of Narendra Kumar Pandey resident of village P.O. Rasalpur Baghla, P.S. Chak Mehsi, District - Samastipur, Presently Working as ANM in Primary Health Centre, Kalyanpur, District - Samastipur
3. Sumitra Kumari Wife of Umesh Kumar Singh and daughter of Jayram Singh resident of village - Kushyari, P.O. Karua, District - Samastipur, Presently Working as ANM in Primary Health Centre, Kalyanpur, District - Samastipur
4. Punam Rani Sinha Wife of Sheo Shankar Prasad and daughter of Sri Mani Narayan Sinha resident of village P.O. Madhurapur Tara, P.S. Kalyanpur, District - Samastipur, Presently Working as ANM in Primary Health Centre, Kalyanpur, District - Samastipur
5. Pinki Kumari Wife of Bimlesh Pandey and daughter of Ram Anek Mishra resident of village - Rasalpur Baghla, P.O. Sormar, Baghla, P.S. Chak Mehsi, District - Samastipur, Presently Working as ANM in Primary Health Centre, Kalyanpur, District - Samastipur
6. Renu Kumari Wife of Navin Kumar Tiwary and daughter of Jagdish Dubey resident of village P.O. Janardanpur, via Kalyanpur Chowk, District - Samastipur, Presently Working as ANM in Primary Health Centre, Kursakanta, District - Araria
7. Rima Kumari Wife of Arun Kumar and daughter of Yogendra Mishra resident of village - Mirzapur, P.S. Kalyanpur, District - Samastipur, Presently Working as ANM in Primary Health Centre, Kalyanpur, District - Samastipur
8. Pushpa Kumari Wife of Late Sunil Kumar and daughter of Ganesh Kumar Singh resident of village - Phulhara Jhakhara, P.O. Kalyanpur, District - Samastipur, Presently Working as ANM in Primary Health Centre, Kalyanpur, District - Samastipur
9. Anju Jha Wife of Suresh Jha and daughter of Late Bilat Jha resident of Somnaha Mirza Nagar, P.S. Chak Mehsi, District - Samastipur, Presently Working as ANM in Primary Health Centre, Kalyanpur, District - Samastipur
10. Sunaina Kumari Wife of Kailash Singh and daughter of Ram Charitra Singh resident of village P.O. Madhurapur, Tanra, P.S. Kalyanpur, District - Samastipur, Presently Working as ANM in Primary Health Centre, Kalyanpur, District - Samastipur
11. Kavita Sinha Wife of Prabhat Kumar Singh and daughter of Sitaram Thakur resident of village - Mohammadpur Birauli, P.O. Birauli R.I. P.S. PUSA, District - Samastipur, Presently Working as ANM in Primary Health Centre, Kalyanpur, District - Samastipur
12. Nirmala Kumari Wife of Priyatosh Kumar and daughter of Sri Ram Ratan



Thakur resident of village P.O. Malikaur, Via Dighra, P.S. PUSA, District - Samastipur, Presently Working as ANM in Primary Health Centre, Sarairanjan, District - Samastipur

13. Ranju Kumari Daughter of Ram Vivek Tiwary and resident of village - Birauli, P.S. PUSA, District - Samastipur, Presently Working as ANM in Primary Health Centre, Sarangpur, District - Samastipur
14. Anita Kumari Wife of Prabhat Kumar Jha and daughter of Pramod Jha resident of village - Shahpur, P.S. Khanpur, District - Samastipur, Presently Working as ANM in Primary Health Centre, Khanpur, District - Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Health, Government of Bihar, Patna
3. The Director - in - Chief, Health Services, Bihar, Patna
4. Bihar Staff Selection Commission, P.S. Veterinary College, Patna 800014 through its Secretary
5. The Chairman, Bihar Staff Selection Commission, P.S. Veterinary College, Patna 800014
6. The Secretary, Bihar Staff Selection Commission, P.S. Veterinary College, Patna 800014
7. The Examination Controller, Bihar Staff Selection Commission, P.S. Veterinary College, Patna 800014

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Pushkar Narain Shahi, Sr. Advocate Mr. Shivam, Advocate
For the State	:	Mr. Raghwanand, GA-11

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-10-2023 1. The present writ petition has been filed seeking the following reliefs:-

“(i) For quashing the results of Auxiliary Nursing Midwife (ANM) Examination conducted by respondent no. 4 Bihar Staff Selection Commission pursuant to Advertisement No. 03030114 as contained in Memo No. 431 dated 9.2.2015 issued



under the signature of the Secretary, Bihar Staff Selection Commission (respondent no. 6) as contained in Annexure-3 in the facts and circumstances of the case fully enumerated hereinbelow.

(ii) For commanding the respondents particularly respondent no. 4 Commission to recalculate correctly the marks of the petitioners by giving appropriate weightage to experience and marks allowable therefor in terms of Rule 7 of the Bihar Lady Health Worker (ANM) Cadre Rules 2013 and to declare the petitioners selected against the advertised posts.

(iii) The petitioners alternatively pray for grant of equal pay for equal work on the post of ANM against which they are working since long many years.”

2. At the outset, the learned counsel for the respondent-Bihar State Selection Commission has referred to the counter affidavit filed in the present case and has submitted that marks obtained by the petitioners are much less than the minimum cut off marks, hence, the petitioners could not be selected.

3. The learned senior counsel for the petitioners fairly submits that even otherwise, with the efflux of time, the present writ petition has been rendered infructuous, hence the same be disposed off.



4. At this juncture, the learned senior counsel for the petitioners seeks liberty on behalf of the petitioners to approach the respondent-authorities for regularization of their services, in case they are still in service. Liberty so sought is granted.

5. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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