

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1962 of 2022

Jai Prakash Sinha @ Dr. Jai Prakash Sinha Son of Bishwanath Prasad Sinha,
Resident at -71, Vikramshila Colony, P.S.-Tilkamanjhi, District-Bhagalpur,
Bihar-812001.

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Principal Secretary, Department of Health, Patna, Bihar.
2. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Medical Education and Family Welfare, Govt. of Bihar, Patna.
4. The Bihar Public Service Commission through its Secretary, Bailey Road, Patna, Bihar.
5. The Special Secretary-cum-Examination Controller, Bihar Public Service Commission, Bailey Road, Patna, Bihar.
6. The Joint Secretary-cum-Examination Controller, Bihar Public Service Commission, Bailey Road, Patna, Bihar.
7. Binod Kumar Jaiswal, Assistant Professor (Surgery), Jawahar Lal Nehru Medical College, Bhagalpur, District-Bhagalpur.
8. Pankaj Kumar Mishra, Assistant Professor (Surgery), Patna Medical College, District-Patna.
9. Shiva Nand, Assistant Professor (Surgery), Darbhanga Medical College, Darbhanga.
10. Meet Verma, Assistant Professor (Surgery), Jawahar Lal Nehru Medical College, Bhagalpur, District-Bhagalpur.
11. Deepika, Assistant Professor (Surgery), Sri Krishna Medical College, Muzaffarpur.
12. Junaid Alam, Address not available.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari, Advocate
For the Respondent/s : Mr. Md. Irshad, AC to SC-1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8. 24-10-2024 Heard learned counsel for the petitioner and learned
A.C. to Standing Counsel – 1.



2. The writ petition has been filed for following reliefs:-

(i) To issue a writ of mandamus or certiorari by quashing and setting aside Annexure 4 i.e. the impugned result dated 23.01.2020 to the extent of unreserved category for the appointment on the post of Assistant Professor (Surgery) issued and published by the respondent no. 6.

(ii) To direct the respondents particularly respondent no. 5 & 6 to produce the guidelines and criterion issued by the Medical Council of India / Health Department, Govt. of Bihar with regard to allocation of extra marks with regard to research publications in the matter of promotion for Teaching faculty in a medical college/institutions.

(iii) To hold and declare the impugned action of the respondents as bad in law and against the norms of Adv. No. 18/2017 as well as Circular No. 131880 dated 03.09.2015 of the Medical Council of India.

(iv) To consequentially direct the respondents to prepare and publish a fresh merit list by granting full 12 marks with respect to published journals in place of 4 marks, given to petitioner by granting due weightage to all the 7 published journals, submitted by him for appointment on aforesaid post.



3. At the outset, learned counsel for the petitioner submits that during pendency of this case, petitioner has already been appointed on the post of Assistant Professor (Surgery) in the Jawaharlal Nehru College & Hospital, Bhagalpur. However, petitioner wants disposal of his representation, which was filed by him on 20.02.2020 (Annexure – 6).

4. In view of limited prayer made by petitioner, this writ petition is disposed of with a direction to the concerned respondent to dispose of the representation, which is said to have been filed by the petitioner, after hearing all the concerned parties by a speaking order in accordance with law, preferably within a period of eight weeks from the date of receipt/production of copy of this order.

5. With above observation and direction, writ petition stands disposed of.

(Prabhat Kumar Singh, J)

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