

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5339 of 2024

Dr. Md. Jamalur Rasheed Son of Md. Haroon Rasheed, Resident of Daar -ul-
Hamd, Bak Colony, Loharwaghat, Alamganj, P.S.-Gulzarbagh, District-
Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Patna.
2. The Additional Chief Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna.
3. The Department of Health, Medical Education and Family Welfare, through Secretary, Government of Bihar, Patna.
4. The State Health Society, Bihar through Executive Director.
5. The Joint Secretary, The Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna.
6. The Bihar Technical Service Commission, through Chairman, Patna.
7. The Secretary, Bihar Technical Service Commission, 19 Harding Road, Patna.
8. The Controller of Examination, Bihar Technical Service Commission, 19 Harding Road, Patna.
9. The Additional Chief Secretary, Department of General Administration, Government of Bihar, Patna.
10. Dolly Kumari, Daughter of Dilip Kumar Sah, Registration No. BR001502220000028, through Bihar Technical Service Commission, 19 Harding Road, Patna.
11. Tarun Kumar Sharma, Son of Balmukund Sharma, Registration No. BR001502220001844 through Bihar Technical Service Commission, 19 Harding Road, Patna.
12. Nahid Shamim, Daughter of Md. Alauddin, Registration No. BR001502220002572, through Bihar Technical Service Commission, 19 Harding Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vikash Pankaj, Adv.



For the State : Mr. Prabhakar Jha, GP-27
For the Respondent No. 4 : Mr. K.K.Sinha, Adv.
Mr. Shashi Shekhar, Adv.
For the BTSC : Mr. Nikesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-04-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). To issue Writ of Certiorari to quash the result contained in Notification No. 462 dated 21.02.2024 (Annexure- P/6) issued by Respondent No.6 to the extent whereby ineligible & unqualified candidates have been selected for the post of Ayurvedic Medical Officer.

(ii). To issue Writ of Certiorari to set aside the Selection of Respondent No. 10 to 12 as contained in Notification No. 462 dated 21.02.2024 (Annexure- P/6) issued by Respondent No.6 as they are ineligible & unqualified as per the Advertisement No. 04/2020 dated 28.09.2020 (Annexure-P/1) for the said selection process for the post of Ayurvedic Medical Officer.

(iii). To issue consequential Writ of Mandamus or any other appropriate Writ order direction commanding Respondents No. 6 to 8 to declare the revised or supplementary results in its all fairness on such vacant seats which remain unfilled due to aforesaid ineligible & unqualified candidates.



(iv). To issue Writ of Mandamus or any other appropriate Writ order direction to the Respondent No. 6 to 8 to stay the operation of impugned result contained in Notification No. 462 dated 21.02.2024 (Annexure- P/6) pursuant to Advertisement No. 04/2020 dated 28.09.2020 (Annexure-P/1) for the post of Ayurvedic Medical Officer during the pendency of the present writ application.

(v). To issue Writ of Mandamus or any other appropriate Writ order direction to the Respondent No. 6 to 8 to keep at-least om seat vacant among the reserved category of Extremely Backward Class in the Advertisement No. 04/2020 dated 28.09.202 (Annexure-P/1) during the pendency of this writ application.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Respondent No. 2, i.e. the Additional Chief Secretary, Department of Health, Medical Education & Family Welfare, Government of Bihar, Patna, for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case, the petitioner approaches the Respondent No. 2, by filing appropriate representation, within a period of two weeks from today, the same shall be disposed off, by a reasoned and a speaking order,



in accordance with law, within a period of six weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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