

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10456 of 2024

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Tarannum W/o- Late Imteyazul Haque, D/o- Late Abchul Haque Iraqi, C/o
Tabrez Akhter, Resident of New Azimabad Colony, (Mount Carmel School),
P.S. Sultanganj, Khawaja garib nawaz, (Sector-B), District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary, Health Department, Govt. of Bihar, Vikas Bhawan, Bailey Road, Patna
3. The Joint Secretary, Health Department, Govt. of Bihar, Patna
4. The Special Executive Officer-Cum-Dy. Secretary, Health Department, Govt. of Bihar, Patna
5. The Bihar Technical Service Commission, 19 Harding Road, Govt. of Bihar, Patna through its Secretary
6. The Secretary, Bihar Technical Service Commission, 19 Harding Road, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad, Adv.
For the Respondent/s : Mr. Standing Counsel 6

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI

ORAL JUDGMENT

Date : 15-07-2024

The petitioner was selected as Ayush Physician (Unani) provisionally by the Bihar Technical Service Commission, Patna. The list of selected candidates of Backward Classes Category in connection with Advertisement No. 09 of 2020 of Ayush Physician (Unani) is appended to the instant writ petition as Annexure- P/4 by a press release bearing no. 234, dated 1st March, 2024.



2. The O.S.D., Health Department, Bihar stated for general information of the selected candidates that for the purpose of appointment, the selected candidates are at liberty to place their option and upload the same in the official website of the Health Department, in respect of three Districts (excluding home District). It is also stated in the press release that such option is uploaded within the period between 3rd March, 2024 to 5th March, 2024, the Government shall consider the option. The petitioner submitted options stating the names of three Districts namely Vaishali, Sitamarhi and Saran, where she may be posted. However, she has been posted at Begusarai, which is a far away place from her home town at Patna. She has been facing tremendous hardship to communicate from Patna to Begusarai and back. The petitioner submitted a representation stating, inter alia, that though she submitted options in the official Website as per press release dated 1st March, 2024, her option was not considered. Hence, the instant writ petition for a direction upon the respondents authority to consider her option of appointment.

3. It is submitted by the learned Advocate for the petitioner that there is a post still vacant at Sadar Hospital, Hajipur in the District of Vaishali.



4. Learned Advocate on behalf of the State respondents submits that the instant writ petition may be disposed of directing the concerned authority to consider the representation filed by the petitioner regarding her appointment.

5. The respondent nos. 3 and 4 are accordingly directed to dispose of the representation of the petitioner within 30 days from the date of communication of this order.

6. If, at the time of disposal of representation, the above named respondents think it necessary to hear the petitioner, she may be notified and given a chance of hearing for the purpose of disposal of her representation.

7. It is made clear that if there is any vacant posts in the District Hospitals, as opted by the petitioner, the respondents shall made necessary endeavour to appoint her in such vacant posts.

8. With the above directed the instant writ petition is disposed of.

(Bibek Chaudhuri, J)

pravinkumar/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	
Transmission Date	

