

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12051 of 2024

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1. Abhay Kumar S/o Sri Sakaldeep Singh, resident of Janta Flat, Block-5, Flat No.-235, B.H. Colony, District-Patna, Bihar-800026.
 2. Bidya Sagar, Son of Late Ramkaran Sharma, resident of Village-Dadpur, P.O.-Bauri Beldari, P.S.-Hulasganj, District-Jehanabad, Bihar-804407.

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Chief Secretary, Old Secretariat, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Health, New Secretariat, Bailey Road, Patna-1.
3. The Director in Chief, Health Services, New Secretariat, Bailey Road, Patna-1.
4. The Chairman, Bihar Staff Selection Commission, Bihar Veterinary College Campus, Patna-14.
5. The Secretary, Bihar Staff Selection Commission, Bihar Veterinary College Campus, Patna-14.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar, Advocate.

For the Respondent/s : Additional Advocate General (9)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 12-08-2024 Heard Mr. Dilip Kumar, learned counsel appearing on behalf of the petitioner and learned AAG-9 for the State.

2. Learned counsel appearing on behalf of the petitioner submits that the case of the petitioner was rejected in light of the eligibility criteria having not been fulfilled. Learned counsel submits that in light of Memo No. 562 dated 29.06.2016, one year Laboratory Technician course has been



treated as Diploma in Chikitsa Prayogshala Taknik and the said status has further been clarified by the State Government vide Memo No. 631 dated 09.12.2004. Learned counsel submitted that as per the clarification made by Memo No. 562 dated 29.06.2016 and Memo No. 631 dated 09.12.2004, the petitioner is holding the certificate of Diploma in Medical Laboratory Technician, hence he is entitled to be appointed on the post of Medical Laboratory Technician having all the requisite qualification and the rejection of the case of the petitioner without giving him any opportunity is not in accordance with law. Learned counsel has further relied on the order passed by a co-ordinate Bench of this Court in C.W.J.C. No. 2835 of 2021 and informs that in light of the same, he has already submitted a detailed representation before the respondent nos. 4 and 5.

3. Considering the aforesaid submission made on behalf of the petitioner, as well as, the representation in respect of the claim of the petitioner as prayed for in the present writ petition is already pending before respondent nos.4 and 5, I find that the respondent nos. 4 and 5 must immediately take steps to pass a reasoned order expeditiously in light of the Memo No. 562 dated 29.06.2016 (Annexure-1) and clarification contained in Memo No. 631 dated 09.12.2004.



4. The present writ petition, accordingly, stands disposed of.

(Purnendu Singh, J)

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