

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14032 of 2022

=====

Jitendra Kumar Sinha S/o Siyasharan Prasad, R/o Ramchandrapur Road,
Bharaopar, P.O.-Biharsharif, P.S.-Laheer, District-Nalanda.

... .. Petitioner/s

Versus

1. The Union of India through the Ministry of Health and Family Welfare.
2. The Director, All India Institute of Medical Science, Patna.
3. The Dean (Academics), All India Institute of Medical Science, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar, Advocate
For the Respondent/s : Mr.Binay Kr. Pandey, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1(i) Considering the candidature of the petitioner, who was an applicant for recruitment to the post of senior residents under residency scheme for the tenure of three years at AIIMS Patna, in accordance with the law laid down by the Hon'ble Apex Court in catena of cases, which mandates that if a reserved category candidate secures higher marks than the last of the general category candidate, then the reserved category candidate would be entitled for getting a post in the unreserved category;

(ii) Considering the candidature of the petitioner, for recruitment to the post of senior residents at AIIMS Patna, in the Department of Pathology, in the unreserved category, on the



basis of the marks secured by the petitioner i.e., 60/100, which is more than the 2nd last and the last selected candidate of general category, who have scored 55/100 and 52/100, which is lesser than the marks scored by the petitioner;

(iii) For rectifying the result concerning the Department of Pathiology, in accordance with the law laid down by the Hon'ble Apex Court;

(iv) For staying the recruitment process during the pendency of the writ application.”

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to approach the Central Administrative Tribunal, Patna for redressal of his aforesaid greivances. Liberty so sought is granted.

3. The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

Saurav/-

U			
---	--	--	--

