

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.782 of 2018

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Gopal Prasad Sinha, Son of Sri Nawal Kishore Prasad, Resident of Mogalpura
Laltoli, Police Station-Khanjekala, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner – Cum- Secretary, Health and Family Welfare
Department, New Secretariat, Bihar, Patna
3. The deputy Director, Health Services T.B., Bihar, Patna.
4. The District T.B. Officer, District T.B. centre, Siwan, Bihar.
5. The In-charge Medical Officer, Additional T.B. Centre, Siwan, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha, Sr. Advocate

Mr. Rajiv Ranjan, Advocate

Mr. Ajoy Kumar Chakraborty

For the State : Mr. Birju Prasad-GP13

Mr. Ajit Anand, AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 22-01-2024

Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that the
name of the petitioner was recommended for appointment by
the Bihar Public Service Commission in the light of the



judgment rendered in the case of *Ashwani Kumar & Ors. vs. the State of Bihar and Ors.* reported in 1997 (2) SCC 1. Learned counsel for the petitioner further submits that his name was recommended by the Bihar Public Service Commission at Sl. No. 16, but final selection has not been made whereas other persons who are below in the rank from the petitioner have been selected but the information has not been provided to the petitioner as to why he has not been finally selected.

3. Learned counsel for the State has filed a counter affidavit and submits that this Hon'ble Court vide order dated 15.01.2018, on the submission of the petitioner to the effect that similar cases as that of the present one, are pending before the Hon'ble Apex Court for hearing in Special Leave to Appeal (c) No. 28306 of 2014 and analogous cases, pleaded to direct that the case shall be listed after disposal of the said SLP.

4. Learned counsel for the petitioner submits that the said SLP has been disposed of on 17.10.2019.

5. In this background, this writ petition stands disposed off directing the petitioner to file a representation before the Director-in-Chief, Health Services, Government of Bihar, Patna who shall pass a reasoned and speaking order as to why the selection of the petitioner could not be made even after



recommendation by the Bihar Public Service Commission. He shall decide the said representation of the petitioner within 90 days from the date of production of a copy of this order.

Ashwini/- **(Dr. Anshuman, J)**

AFR/NAFR	
CAV DATE	NA
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Transmission Date	NA

