

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.81 of 2024

In
Civil Writ Jurisdiction Case No.3215 of 2019

=====

Dr. Syed Shahzadul Haque @ Dr. S.S. Haque Son of S.A. Haque, Resident of
village- Shakoor Colony, Indirapuri, P.S.- Sheikhpura, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary viz. Shri Sanjay Kumar, Health Department, Government of Bihar, Patna.
2. The Additional Secretary viz. Shri Dinesh Kumar, Health Department, Government of Bihar, Patna.
3. The Director viz. Prof (Dr) Bindev Kumar, Indira Gandhi Institute of Medical Sciences, Sheikhpura, Patna.
4. The Dean viz. Prof (Dr.) Bheem Dayal, Indira Gandhi Institute of Medical Sciences, Sheikhpura, Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shyam Kishore, Adv.
For the State	:	Mr. Kamlesh Kishore, AC to SC 12
For the IGIMS	:	Mr. Sunil Kumar Singh, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 22-08-2024 Heard the parties.

2. The present petition has been filed for the following
reliefs:

*“(i) for issuance of an appropriate writ
in the nature of CERTIORARI for quashing/setting-
aside the Letter No. 212 / Adm dated 12.01.2019
issued under signature of Administrative Officer,
Indira Institute of Medical Sciences (hereinafter
referred as IGIMS for sake of brevity), Patna
whereby and where under he has been pleased to
inform that the Petitioner that as per Adv No*



12/Faculty/IGIMS/Estt/2018 he is not eligible for the post of Assistant Professor, Biochemistry.

(ii) for issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the respondent authorities to accept the application of the Petitioner for the post of Assistant Professor, Biochemistry and call for interview in terms of decision taken by the State Government as well as IGIMS, because IGIMS follows recruitment and promotion rules as per the norms of AIIMS, New Delhi.

(iii) for issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the respondent authorities to grant cadre promotion the Petitioner because he is working as Biochemist, since January, 2006 uptil now as such and serve the institution for more than 13 years.

(iv) for any other relief/reliefs to which the Petitioner deemed entitled into the facts and circumstances of the case."

3. Mr. Sunil Kumar Singh, learned counsel on behalf of the IGIMS, Sheikhpura, Patna has taken this Court to Annexure-B to the show cause which is letter no. 6132 dated 28.12.2023 to show that his claim for promotion to the post of senior Biochemist has been rejected.

4. In that background, learned counsel for the petitioner submits that he may be granted liberty to challenge



the said order.

5. Granting said liberty, the present MJC No. 81 of 2024 stands dismissed.

(Rajiv Roy, J)

Arish/-

U		T	
---	--	---	--

