

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9600 of 2018

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Pramod Kumar Singh Son of Baleshwar Singh Resident of Village-
Krishnapur, Post- Jabra, P.S. Nokha, District-Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director-in-Chief, Health Department, Government of Bihar, Patna.
3. The Director, Health Department, Government of Bihar, Patna.
4. The Deputy Director, Health Department, Government of Bihar, Patna.
5. The Principal, Patna Dental College Hospital Bankipur, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramanuj Tiwary, Adv.
For the Respondent/s : Mr. Madhusudan Rai, AC to SC 23

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 27-02-2025 Heard Learned Counsel for the petitioner and
Learned Counsel for the State.

2. The present writ petition has been filed for issuance
of appointment letter in favour of the petitioner on the post of
Librarian in Dental College and Hospital, Patna.

3. Learned Counsel for the petitioner submits that the
petitioners has entered the advertisement process as he
possesses the requisite qualifications and has been selected as
candidate at serial No.1 on the selection list. Counsel further
submits that the petitioner has not been issued the appointment
letter till date.

4. Learned Counsel for the State submits that a



counter-affidavit has been filed in this case. It is stated in the State's counter-affidavit that the petitioner has been appointed on a contractual basis vide the office Order No. 817 dated 03.10.2016, which was sent to the petitioner by post. Counsel further submits that, based on the said selection list, the petitioner gave his joining at the respondent office. However, it was found that the petitioner was unable to read his certificate. After raising doubts about his knowledge, the petitioner was asked to write the words 'Librarian', 'Physics', 'Chemistry', 'Library Science' and 'Intermediate' etc. However, the petitioner was unable to write the above-mentioned words correctly. This process was carried out in the presence of four senior faculty members of the institution. Counsel further submits that a copy of the question posed to him, along with the spelling written by him, is annexed as Annexure- B, attached at page 30 of the bail application. Due to this, the Principal of Patna Dental College Hospital Bankipur, Patna, has not permitted him to work. Subsequently, the petitioner has filed the present writ petition.

5. From the conditions of the selection, issued, in which the petitioner's name is at serial No. 1 on the candidate list, it transpires that the service of the petitioner can be terminated if found unsatisfactory, with payment of one month's



salary. Though the petitioner has presented the letter issued vide Memo No. 817 dated 03.10.2016, it was found that the petitioner was deemed unfit after a spelling test was conducted on 15.10.2016, i.e., just after 12 days after the issuance of the order by the Bihar Government. In this situation, this Court is not inclined to interfere, as the Principal himself found that the petitioner's service was unsatisfactory and deemed him incompetent. However, according to the law the petitioner is entitled to one month's salary. Therefore, it is directed that respondent No. 5, the Principal, Patna Dental College Hospital Bankipur, Patna, shall make payment of one month's salary to the petitioner within 60 days from the date of production or receipt of a copy of this order.

6. With this direction the writ petition stands dismissed.

(Dr. Anshuman, J.)

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