

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15865 of 2025

Jeetendra Kumar Son of Hardeo Singh Resident of village - Paigamberpur
P.O.- Sagahari, via- Minapur, P.S - Siwaipatti, Distt.- Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Government of Bihar, New Secretariat, Patna.
2. The Additional Chief Secretary, Health Department, Government of Bihar, New Secretariat, Patna.
3. The Bihar Technical Service Commission, through its In-charge Secretary, 19- Harding Road, P.S.- Sachivalaya, District- Patna.
4. In-charge Secretary, Bihar Technical Service Commission, 19-Harding Road, P.S.- Sachivalaya, District-Patna.
5. The Chairman, Bihar Technical Service Commission, 19- Harding Road, P.S.- Sachivalaya, District-Patna.
6. The Delhi Medical Council, through its Registrar, Ground Floor, B Wing, B Block-1, DMRC IT Park, Shastri Park, New Delhi-110053.
7. The Registrar, Delhi Medical Council, Ground Floor, B Wing, B Block-1, DMRC IT Park, Shastri Park, New Delhi-110053.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sunny Kumar, Advocate
For the Respondent/s	:	Mr. Akhileshwar Singh, AC to GA-2
For the Commission	:	Mr. Nikesh Kumar Advocate
		Mr. Aushansh Shanker, Advocate

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

- 2 17-11-2025 1. The petitioner obtained medical degree from Ukraine and thereafter he also obtained certificate of FMGE as per the guidelines of the Indian Medical Council, now NMC. Subsequently, the petitioner was qualified for DNB Course in Family Medicine and completed the said course.
2. On the basis of Advertisement No. 16 of 2025



for selection of Specialized Medical Officer (Physician), Bihar Technical Service Commission sought for application from the Specialized Doctors for appointment. As per the advertisement, the academic qualification was MBBS degree obtained from any Indian University affiliated to MCI, presently NMC, with Post-Graduate Degree/Diploma or DNB degree or similar other degree recognized by Bihar and Orissa Medical Act, 1916.

3. It was also stipulated that if a candidate possesses four years MBBS Course and one year rotating internship and thereafter FMGE examination conducted by the MCI and MD/MS/two years Diploma Course/DNB etc. with minimum internship from MCI affiliated hospital, he would be eligible to apply.

4. The petitioner applied for the said post, but he was disqualified on the ground that he failed to produce registration certification in support of his DNB degree and secondly he did not complete internship for 12 months in a hospital affiliated by the MCI.

5. It is admitted by the learned Advocate appearing on behalf of the petitioner that the petitioner



passed DNB examination as Specialized Doctor in Family Medicine and he applied for his registration under Delhi Medical Council on 23rd of August, 2025 but the Delhi Medical Council did not issue Registration Certificate as yet. Therefore, there is no fault on the part of the petitioner for not having the Registration Certificate for his DNB degree and when he passed DNB, he should be treated as Specialized Medical Officer.

6. The learned counsel for the petitioner next submits that he did his internship for two months, i.e. from 31.12.2012 to 02.03.2013 in Community Health Centre, Loni Ghaziabad and thereafter he did further internship in Northern Railway Central Hospital, New Delhi from 30th of March, 2013 to 31st of January, 2014. So he has completed more than one year internship in Community Health Centre, Loni Ghaziabad and Northern Railway Central Hospital, New Delhi.

7. The learned Advocate appearing on behalf the State/Respondents draws my attention to the Advertisement No. 16 of 2025, where it is clearly stated that a candidate must complete 12 months internship training and there shall



not be even a single day gap or break in pursuing the said one year internship.

8. In the instant case, the petitioner pursued his internship from 31st of December, 2012 to 2nd of March, 2013 at Community Health Centre, Loni Gaziabad and thereafter from 30th of March, 2013 to 31st of January, 2014 at Northern Railway Central Hospital, New Delhi. Thus, while having internship training there was clear break of training for about 27 days and the said break in training constitutes a bar in the qualification for selection for the post of Specialized Medical Officer.

9. For the reasons, stated above, this Court finds that the Respondent Authority did not commit any wrong in disqualifying the petitioner from being selected as Specialized Medical Officer.

10. The instant writ petition, being devoid of any merit, is dismissed.

(Bibek Chaudhuri, J)

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