

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16069 of 2025

1. Dr. Pragya Pushpanjali Daughter of Brajesh Chandra Jha, Resident of village and PO- Kalgiganj, PS Kahalgaon, District-Bhagalpur.
2. Dr. Poonam Kumari, Daughter of Rash Bihari Mandal, Resident of village and PO- khawaspur, PS- Ekchari, District-Bhagalpur.
3. Dr. Mukesh Kumar, Son of Mohan Sah, Resident of village- Cintamanpur, Post-Chatiya, PS-Malahi, District-East Champaran.
4. Dr. Madhuri Kumari, Daughter of Kishori Pandit, Resident of Gola Road Kadam Kuan, Nawada, PS- Nawada, District-Nawada.

... .. Petitioners

Versus

1. The State of Bihar through the Additional Chief Secretary, General Administration Department, Government of Bihar, Patna.
2. The Secretary, Health Department, Government of Bihar, Patna.
3. The Directorate of AYUSH, Health Department, Govt. of Bihar, Patna through the Secretary.
4. The Secretary, Health Department -cum- Chairman, Directorate of AYUSH, Health Department, Govt. of Bihar, Patna.
5. Bihar Public Service Commission, 15, Nehru Path (Bailey Road), Patna-800001 through its Secretary.
6. The Chairman, Bihar Public Service Commission, 15, Nehru Path (Bailey Road), Patna- 800001.
7. The Secretary, Bihar Public Service Commission, 15, Nehru Path (Bailey Road), Patna-800001.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Nirbhay Prashant, Advocate
For the Respondents	:	G.P.-26

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioners and

learned counsel for the State.

2. In this writ petition, the petitioners have

prayed for the following reliefs:-

i. Issue an appropriate writ, order, or direction



in the nature of certiorari quashing Memo No. 12534 dated 17.09.2018, to the extent it contains the clarification at Serial No. 9 of Annexure-'Ka' appended thereto, whereby it has been provided that relaxation in age limit and the benefit of weightage in appointment on the basis of work experience shall be admissible only in respect of the post on which a candidate had earlier worked under contractual engagement;

- ii. Issue an appropriate writ, order, or direction declaring and holding that the candidature of the petitioners is valid and in full conformity with the terms and conditions stipulated in Advertisement Nos. 44-57/2025 dated 09.07.2025, and that their contractual service as Associate Professors in Government Ayurvedic Colleges shall be considered valid for the purposes of scrutiny, evaluation, and selection/absorption to the post of Assistant Professor;*
- iii. In the alternative, permit the petitioners to be appointed to the post of Assistant Professor, notwithstanding their prior service as Associate Professors, and direct the Respondents to consider them for regular appointment without any adverse consequence;*
- iv. Restrain the Respondents from taking any adverse action against the petitioners candidature or from rejecting their applications for the post of Assistant Professor in Rajakiya Ayurvedic Collages at Patna & Begusarai on the ground that their contractual experience cannot be considered, until final disposal of the present petition;*
- v. For staying further proceedings in the selection process pursuant to Advertisement Nos. 44-57/2025 dated 09.07.2025, during the pendency of the present writ petition, so far as it affects the rights and entitlement of the petitioners."*



3. The present writ petition appears to be premature and accordingly, it is permitted to be withdrawn with liberty to the petitioners to file fresh writ petition if their show-cause reply is rejected and action is taken against them by the respondents.

(Sandeep Kumar, J)

pawan/-

U			
---	--	--	--

