

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3618 of 2026

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Ruby Kumari @ Dr. Ruby Kumari W/o. Shri Siddharth Bharti, Residing at
Near I.D.B.I. Bank, College Road, Kaura Maidan, P.O. Sadar Munger, P.S.
Kasim Bazar, District- Munger, Bihar-811201

... .. Petitioner/s

Versus

1. The State of Bihar Rep. Thr. The Additional Chief Secretary, Department of Health, Govt. of Bihar, Patna;
2. The Principle Secretary, General Administration, Govt. of Bihar, Patna;
3. The Principle Secretary, Department of Health, Government of Bihar, Patna
4. The Under Secretary, Department of Health, Govt. of Bihar, Patna.
5. The Special Secretary, Department of Health, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari, Advocate
For the Respondent/s	:	Mr. Rajeshwar Singh, GA-10
		Mr. Pramendra Kumar Singh, AC to GA-10

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 17-03-2026

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

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

*“(i). To issue a writ of Mandamus or any
other appropriate writ/order/direction
commanding and directing the respondents to
consider the seniority of the Petitioner on the post
of Assistant Professor from the date of issuance of
notification issued by Respondent no.-4 vide memo
no.- 416 (17) dated 14-04-2020 by which various
candidates were recommended for appointment as*



Probationary Assistant Professor in Level-11 (67,700-1,64,800) of the revised pay scale (with subsistence allowance and other allowances approved by the State Government from time to time) and were posted in the various Medical Colleges in Gynecology and Obstetrics in the light of Advertisement No.-20/2017 issued by BPSC from the date of assuming charge.

(ii) To grant seniority with all consequential benefits as are being given to Assistant Professors who were appointed vide memo no.- 416 (17) dated 14-04-2020 issued by Respondent no.-4.

(iii) To treat the length of services of this Petitioner at par with the length of services of other Assistant Professors who were appointed vide memo no. 416 (17) dated 14-04-2020 issued by Respondent no.-4 as they are also appointee under the same Advertisement No.-20/2017 issued by BPSC.

(iv) To promote the Petitioner as Associate Professor with all monetary and consequential benefits as has been done to Assistant Professors who were appointed vide memo no.-416 (17) dated 14-04-2020 issued by Health Department, Govt. of Bihar, Patna.

(v) Any other relief or reliefs which the petitioner may be found entitled to in the facts and circumstances of the present case.”

3. Learned Counsel for the petitioner submits that at



the time of filing of the present writ petition, representation was pending before respondent No.3, the Principal Secretary, Health Department, Government of Bihar,Patna, vide Annexure-P/8 but he submits that he has received information from his client that the respondent authority has taken decision on Annexure-P/8 and rejected the representation of the petitioner. It is due to this reason, he submits that writ petition may be disposed off granting liberty to the petitioner to challenge the rejection order of the representation.

4. Learned Counsel for the State has no objection for the same.

5. In the light of the submissions made, let the writ petition be disposed off granting liberty to the petitioner to file fresh writ petition against rejection order as well as any other relief which has been so advised by his Counsel.

6. It transpires to this Court that there is no private respondent added in this writ petition whose right is going to be effected by the rejection order.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.03.2026
Transmission Date	

