

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.52 of 2021

Dr. Arvind Kumar Sinha, Son of Late Ramjee Prasad, Resident of Village-Mirjapur, Nohta, Fahuha, P.S.-Fatuha, District-Patna, State-Bihar. At present Chairman Bihar State Ayurvedic and Unani Medicine Faculty, Bihar, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Department of Health, New Secretariat, Bihar, Patna.
2. The Chairman Bihar Technical Service Commission, (BTSC), Patna.
3. The Secretary Bihar Technical Service Commission, (BTSC), Patna.
4. The Examination Controller, Bihar Technical Service Commission (BTSC), 19, Harding Road, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 03-01-2022

None appears for the petitioner.

2. In the instant petition, petitioner has prayed for following reliefs:

“(A) To issue the Writ of Mandamus Commanding the Respondents to Discharge there Legal Obligation to Disposed the Application given By Petitioner on their behalf on dated 24/08/2020 and 06/10/2020 (Annexure-5) Hon’ble Apex Court Passed Reputable Judgment in Civil Appeal No. 4643 of 2003, Civil Appeal No. 4644-45 of 2003, and Civil Appeal No. 4646 of 2003 decided on November 1, 2003, (2007) 12 SCC 728 BIHAR STATE COUNCIL OF AYURVEDIC AND UNANI MEDICINE VS THE STATE OF BIHAR AND OTHERS the Under Bihar Ayurvedic and



Unani Medicine Act, 1951, in which Hon'ble Apex Court Hold that The GAMS degree Conferred on and shall be treated as recognised degree for the purposes of taking admission to higher courses of study and also for the purposes of employment.

(B) To issue the writ of mandamus, and directing to respondents authority to compliance with own resolution issued by Mr. Deepak Kumar, secretary government of Bihar vide memo no. 16/M/-1-67/2006-260 (Unani) Patna, dated 22/03/2007.

(C) To stay the entire selection Process being Advertisement No. 04/2020 to 09/2020 issue Notification by Signature of Respondent No. 3 The Secretary Bihar Technical Service Commission, (BTSC), Patna with ignorance to guide line of Hon'ble Apex Court and Hon'ble high Court, Patna as well as circular of central Govt./State Govt. about Relaxation of age and Degree.

(D) To issue the writ of mandamus commanding the Respondents to discharge there legal obligation to conducted the Proper Enquiry in the matter and given the opportunity to the Petitioner accordance with law and Provision of Laws.

(E) To Proper legal action against the such responsible Respondents which are involved in Such illegal, Manner to harass the Petitioners with so many corners.

(F) To any other Relief/s, order/s, Direction/s to Petitioners may be found Entitled to."

3. In the aforesaid relief petitioner is stated to have submitted representation on 24.08.2020 and 06.10.2020.



4. In the light of these facts and circumstances, the concerned respondent is hereby directed to consider the petitioner's representation and pass speaking order within a period of six weeks from the date of receipt of this order and communicate the decision to the petitioner.

5. With the above observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

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CAV DATE	
Uploading Date	
Transmission Date	

