

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11879 of 2011

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1. Prem Sanker Kumar S/O Late Brij Nandan Prasad R/O Moh- Mahalchak
P.S.- And Distt- Jehanabad.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Director Health Deptt.Bihar,Patna.
2. The District Collector Gaya.
3. The Civil Surgen Cum Chief Medical Officer Gaya.
4. The Civil Surgen Cum Chief Medical Officer Jehanabad.
5. The Regional Deputy Director Health Service Magadh Division Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh

For the Respondent/s : Mr. Rajesh Kumar Gp21

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI
ORAL ORDER**

2 29-02-2012

Petitioner was a claimant for compassionate appointment in the year 2003. Recommendation was made and petitioner came to be appointed as Basic Health Worker (B.H.W.) in the year 2003 itself. Since then he has been working continuously on that post. It is only recently, he has learnt from some sources that the post of B.H.W. is a technical post and there can be foul play subsequently at a later part of his career on this score. It is in this background that he wants to be appointed now on the post of Clerk in place of B.H.W.

The decision to appoint the petitioner on the post of B. H.W. was taken way back in the year 2003 and the petitioner is now working on that post for almost nine years. It is certified

and held that no objection with regard to the petitioner for his appointment on that post would be raised on this ground that petitioner does not have technical expertise to hold that post now since he has already spent about nine years with the department on that post. Any apprehension on this count is uncalled for and the writ application to that extent does not merit any indulgence.

This writ application is disposed of with the observation aforesaid.

(Ajay Kumar Tripathi, J)

Amin/-