

C.W.J.C.No.2531 of 1998

(Bihar State unemployed Homeopathic Doctors Association & ors. v. The State of Bihar & ors.)

with

C.W.J.C.No.3611 of 1998

(Smt. Sangeta Ratna v. The State of Bihar & ors.)

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For the Petitioners : M/s J. P. Shukla & R. K. Shukla (in CWJC 2531/98)

Mr. Jitendra Singh Bhasin (in CWJC 3611/98)

For the State : Mr. J. C. to G. P. 7 (in both the cases)

For B.P.S.C. : M/s Tarakant Jha & Anil Kumar Tewary (in both the cases)

For the Interveners : M/s Shyama Prasad Mukherjee, Dr. S. N. Jha, Asim Jha, Shanti Pratap, Gyanand Roy, Kumar Ranjit Ranjan and Purushottam Kumar Jha

10. 12.1.99

After hearing counsel for the petitioners, Bihar Public Service Commission, the intervenors as well as the State of Bihar, I am of the view that these writ petitions cannot be disposed of on the basis of summary hearing at the stage of admission. They are accordingly admitted for regular hearing.

I have also heard counsel for the parties on the question of interim relief.

By an order dated 9.4.98 a Bench of this Court stayed appointments pursuant to the impugned recommendations of the Commission contained in Annexure-11 to the writ petition. In the facts and circumstances of the case, the said order is vacated and substituted by the following order

The respondents shall be at liberty to make appointments of Homeopathic doctors on the basis of selection made by the Bihar Public Service Commission pursuant to Advertisement no. 9/95, subject to the result of these writ petitions. This fact shall be noted in the appointment orders of the respective candidates. However,

(K.T.O.)

SO 7/98
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The Applicant shall be responsible for the cost of the application for copy, searching fee, extra fee for agency, etc. Other fees shall be as per the schedule of fees.

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10 contd.

This interim order will be available only to those candidates who possess the requisite internship experience, vide condition no. 2 of the educational qualifications mentioned in the advertisement (Annexure-1). The Commission shall, accordingly, submit a revised merit list of selected candidates, if necessary, after making proper verification that the selected candidates do possess the requisite internship qualification.

The intervenors will be heard.

It will be open to the parties to move Hon'ble Chief Justice for fixing an early and firm date of hearing.

N.A.

Sd/-
(S.N.Jha)

True copy

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Secretary

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[Signature]

For Joint Registrar (J)

Patna High Court

Authorized U/S 76 Act 1 of 1973

Sunil K R

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