

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 9869 OF 2018  
[@ SPECIAL LEAVE PETITION (C) NO. 17152 OF 2017]

DR. RITESH KUMAR TARUN

Appellant (s)

VERSUS

STATE OF BIHAR & ORS.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The appellant was denied the benefit of 10 marks on the ground that he did not produce the certificate of having passed the Diploma in Orthopaedics at the time of Interview. But according to the appellant, he had produced the Mark Sheet, which is also annexed as Annexure P2 before this Court, which contains the endorsement that he had passed the Diploma in Orthopaedics.

3. In our view, before the Interview Board, sufficient evidence having been produced of having passed the Diploma, the appellant should have been granted the allotted 10 marks in that regard.

4. In the above circumstances, this appeal is allowed as follows :-

(i) The appellant shall produce the original Diploma before the respondent - Commission within two weeks from today, based on which, the Commission shall reassess the appellant and forward its recommendation to the Government within another two weeks.

(ii) The State Government is directed to take further action in terms of the recommendations within two weeks thereafter.

.....J.  
[ KURIAN JOSEPH ]

.....J.  
[ SANJAY KISHAN KAUL ]

New Delhi;  
September 24, 2018.