

GAHC010233102023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WA/392/2023

ANURG CHETRY
SON OF CHANDRA BAHADUR CHETRY, RESIDENT OF SHITOLPUR
(PHILOBARI), P.O. GABHARUPATHAR, DISTRICT- TINSUKIA, ASSAM, PIN-
786160.

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, MEDICAL AND HEALTH DEPARTMENT,
DISPUR, GUWAHATI-06

2:THE DIRECTOR OF MEDICAL EDUCATION
HENGRABARI
GUWAHATI-36

3:THE PRINCIPAL
KOKRAJHAR MEDICAL COLLEGE
KOKRAJHAR
P.O. KOKRAJHAR
DISTRICT- KOKRAJHAR (BTAD)
ASSAM
PIN- 783370

4:THE UNION OF INDIA
REPRESENTED BY THE MINISTRY OF HEALTH AND FAMILY WELFARE
NIRMAN BHAWAN
NEW DELHI- 110011

5:MS. SHAYONA KASHYAP
D/O- SRI ASHISH KUMAR DEY
R/O- DHEKIAJULI TOWN

P.O. SONITPUR
P.S. DHEKIAJULI
DIST.- SONITPUR
ASSAM
PIN- 784001
PRESENT ADDRESS- C/O- GOVT. MIDDLE SCHOOL
TIPPI
P.O. AND P.S. BHALUKPUNG
DISTRICT- WEST KAMENG
ARUNACHAL PRADESH
PIN- 79011

For the appellant : Mr. B. Chetri,
Mr. S. Chetry, Advocates

For respondent Nos.1,2 & 3: Mr. B. Gogoi,
Standing Counsel, Health

For respondent No.4 : Ms. D. Choudhury,
Central Govt. Counsel

For respondent No.5 : Mr. A.K. Purkayastha, Advocate

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

09-02-2024

(V. Bishnoi, C.J.)

This intra-Court appeal is filed by the appellant being aggrieved with the order dated 05.10.2023 passed by the learned Single Judge in WP(C) 5934/2023 whereby notices have been issued to the respondents.

Learned counsel for the appellant has submitted that while issuing notices in the above referred writ petition, learned Single Judge has not considered the prayer of the appellant to grant any *interim* relief during pendency of the writ

petition.

Having heard the learned counsel for the appellant and after taking into consideration the fact that the controversy is regarding the cancellation of the admission of the appellant in the MBBS Course of 2023, we are of the view that the learned Single Judge has rightly not passed any *interim* order while issuing notice in the writ petition filed by the appellant. Hence, no interference is called for.

However, the appellant is at liberty to make request before the learned Single Judge for early disposal of the writ petition.

With the above observation, this writ appeal is dismissed.

JUDGE

CHIEF JUSTICE

Comparing Assistant