

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17634 of 2014

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Akriti, Daughter of Sri Birendra Kumar, Resident of Opposite Community Hall/Prakash Nursery, Rajendra Nagar, P.S. Kadamkuan, Town and District Patna.

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Chairman, Bihar Combined Entrance Competitive Exam, I.A.S. Bhawan, Patna.
4. The Controller Examination, Bihar Combined Entrance Competitive Exam, I.A.S. Bhawan, Patna.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Krishna Chandra, Advocate
For the State	:	Mr. Gyan Prakash Ojha, GP22
For B.C.E.C.E.	:	Mr. Vikas Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 01-12-2015

Petitioner filed the writ application for a direction upon the State authorities of Bihar to grant her admission in M.B.B.S. Course for the session 2014-15 for the reason that according to her she was not given the right opening at the time of third counselling which was held by the respondents in terms of the declaration of result held by the Competitive Examination Board in the year 2015.

At the outset, since the admission relates to the year 2014-15, all admissions are over. The candidates have been pursuing their studies for more than a year, therefore, there cannot be any occasion to give any direction now at this stage for consideration of claim for admission in M.B.B.S. Course.

Petitioner because of her merit position was offered admission in B.D.S. Course and she is pursuing her study at Kalinga Medical College, Bhubneshwar, Orissa for the last one year.

Counter affidavit of the Competitive Examination Board indicates the merit position of the petitioner while she was given admission in B.D.S. Course.

The third counselling was held under extraordinary circumstances on the basis of a decision taken by the State Government for a limited purpose and, therefore, that counselling cannot be used as the basis for a fresh recounselling to the petitioner because her counselling had already been done and she was allotted the seat according to her merit position.

In the above circumstances, the prayer as well as relief cannot be granted to the petitioner. Writ application is dismissed.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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