

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8862 of 2014

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Mithila Minority Dental College & Hospital through its Principal Dr. A.D. Bhagat
Singh S/o Late Daulat Rao, Laheria Sarai, P.S. - Laheriasarai, District - Darbhanga.
.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Bailey Road, Patna, Bihar.
2. The Principal Secretary, Vigilance Department, Bihar, Patna.
3. The Dental Council of India through the Secretary, Aiwan-E-Ghalib Marg, Kotla Road, New Delhi.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Shailesh Kumar, Advocate
For the State	:	Mr. Gyan Prakash Ojha, GP22
		Mr. A.B. Pandey, A.C.to GP22
For D.C.I.	:	Mr. S.D. Sanjay, Sr. Advocate
		Mr. R.R. Tiwari, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 26-11-2015

Since an F.I.R. has already been instituted and registered as F.I.R. No.16 of 2003 by State Vigilance Department against the petitioner's college and its functionaries, the law has already been set in motion. Any kind of protection against institution of a proceeding can be vested either in Cr.P.C. or under 482 Cr.P.C.

Despite repeated questioning, nothing has emerged from the pleadings as to what other coercive actions have been taken against the petitioner, therefore, this Court will not exercise jurisdiction with regard to the F.I.R. in writ jurisdiction.

Writ application is dismissed.

Dismissal of the writ application will not come in the

way of the petitioner seeking invocation of an appropriate jurisdiction for such relief may be taking into consideration the order passed by the Hon'ble Apex Court in Annexure-5.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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