

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2304 of 2014

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1. Dr. Pinki Kumari D/O Murli Kant Jha Resident Of Triveni Jha Muslim Hostel, Room No.3, Dmch, Laheriasarai, Darbhanga
 2. Dr. Mukesh Kumar S/O Late Kaviraj Sri Gopal Resident Of Hisipur Kisti Kothi, Ward No. 19, Khagaria
 3. Dr. Md. Akhlaque Haider S/O Md. Iqubal Resident Of P.O. Mosapur, Via - Korha, Katihar
 4. Dr. Gunjan Kumari D/O Naresh Mohan Prasad Resident Of Veena Dharma, Main Road, Begusarai
 5. Dr. Prashant Son Of Umesh Pandey Resident Of New Colony, Dak Bunglow Road, Bettiah
 6. Dr. Shailesh Dubey Son Of Pradip Kumar Dubey Resident Of Village - Dilarpur, Manihari, Katihar
 7. Dr. Himanjali D/O Manikant Yadav Resident Of Gami Tola, Katihar
 8. Dr. Chandan Kumar Son Of Chun Chun Prasad Resident Of Veena Dharma, Main Road, Begusarai
 9. Dr. Kumar Gaurav Chandra Son Of Subhash Chandra Bhatt Resident Of Dr. R.P. Road, Amber, Biharsharif, Nalanda
 10. Dr. Ritu Raj Son Of Manikant Yadav Resident Of Gami Tola, Katihar
 11. Dr. Gaurav Kumar Son Of Sunil Kumar Resident Of Bus Stand Road, Bettiah
 12. Dr. Danish Jamal Son Of Late Nurullah Resident Of Rashid Colony, Adda No. 2, Babunia Road, Siwan
 13. Dr. Rani Singh D/O Dr. Nirmal Kumar Singh Resident Of Torpa Road, Khuti, Ranchi
 14. Dr. Neetu Kumari D/O Badri Prasad Resident Of Har Har Mahadev Chowk, Refinery Township, Begusarai
 15. Dr. Md. Izharul Enam Son Of Md. Tazzamul Hussain Resident Of Sahebgunj Champanagar, Bhagalpur
 16. Dr. Md. Junaid Akhtar Son Of Md. Muzaffar Khan National Dental Care Near Police Station Bikramganj, Rohtas
 17. Dr. Saba Fatma D/O Md. Shahroz Alam Resident Of At P.O. Near Badi Jama Masjid, Saharsa
 18. Dr. Murtuza Ansari Son Of Zakir Hussain Resident Of Mohammadbad, Jadla Palamu, Jharkhand
 19. Dr. Vandana Kumari D/O Ram Niwas Singh Resident Of Bihat Khemkaranpur, Begusarai
 20. Dr. Guncha Perween D/O Shabbir Ahmad Kamal Resident Of Zakaria Colony, Sadpura, P.O. Ramna, District - Muzaffarpur
 21. Dr. Nagmani Nandan C/O Shri Malik Prasad Yeduvansi, P.O. Koshi College, District - Khagaria

.... Petitioner/s

Versus

1. The Union Of India
2. The Secretary, Department Of Health And Family Welfare, Government Of India, Nirman Bhawan, New Delhi
3. Under Secretary. Ministry Of Health And Family Welfare, Department Of Health, Dental Education Centre, Nirman Bhawan, New Delhi
4. The Dental Council Of India Through Its Secretary, Aiyan - E - Galib Marge, Kotla Road, New Delhi
5. The Secretary, Dental Council Of India, Aiyan - E - Galib Marg, Kotla Road, New Delhi
6. The Secretary, Department Of Health And Family Welfare (Medical Education), Government Of Bihar, Patna

- 7. The Director, Medical Education, Health And Family Welfare, (Medical Education), Government Of Bihar, Patna
- 8. The Lalit Narayan Mithila University, Darbhanga, Bihar Through Its Registrar
- 9. The Registrar, Lalit Narayan Mithila University, Darbhanga, Bihar
- 10. The Bihar State Dental Concil Through Its Registrar, Patna
- 11. Dr. S.M. Naqui Imam, Dental College And Hospital, Bahera, Darbhanga Through Its Secretary

..... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey
Mr. PRABHAT RANJAN SINGH
Mr. Ramanuj Tiwari
Mr. Rakesh Narayan Singh
For the State : Mr. Sheo Shankar Prasad
For the DCI : Mr. S. D. Sanjay, Sr. Advocate
Mr. R. R. Tiwari
For the Union of India: Mr. Rakesh Kumar Sinha
For the University: Mr. Ajay Bihari Sinmha

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 24-04-2015

24.04.2015 Heard learned counsel for the parties.

The ultimate test with regard to the validity of the degree obtained by these petitioners will have to be based on the recognition granted to the course done by these petitioners by Dental Council of India. Earlier these petitioners were given registration by Bihar State Dental Council, but on some mistaken facts, understanding or miscommunication the same was annulled.

The Dental counsel of India has filed a counter affidavit. They have annexed Annexure-A, which is an extract of a gazette notification, granting recognition to the Bachelor of Dental Surgery course to students, for the batch of year 2007-2008 in relation to

Dr. S.M. Nakqui Imam College, Dental College,
Darbhanga.

The notification settles the issue. No amount of other inputs or misinformation should form the basis of passing any kind of order, annulling which the registration has been done, that too without any opportunity of hearing etc. to these petitioners. The impugned Annexure-23 series in relation to the petitioners are hereby quashed.

Writ application is allowed.

(Ajay Kumar Tripathi, J.)

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