

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22179 of 2014

1. Dr. Md Sohail Ahmad S/o Md. Quddus R/o 302, Third Floor, Royal Residency Apartment Indrapuri, Raja Bazar, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Health Secretary, Govt. of Bihar.
2. B.N. Mandal University Madhepura through its Registrar at P.S. District - Madhepura.
3. The Vice Chancellor, B.N. University, Madhepura.
4. The Bihar Combined Entrance Competitive Examination Board, I.A.S. Association Building near Patna Air Port, through Controller of examination.
5. The Principal Katihar Medical College, Katihar in the district of Katihar.
6. Seema Kumari D/o Sri Rajeshwar Prasad Sinha advocate Royal Place, Patna Makhania Kuan, P.S. Pirbahore in the district of Patna.
7. Medical Council of India, Pocket - 14, Sector - 8, Dwarka, New Delhi through its Chairman.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the BCECEB: Mr. Vikas Kumar
For the Respondent No. 5: Mr. D. Mishra
For the Respondent No. 7: Kumar Brijnandan
For the State: Mr. SC-16 ABBAS HAIDAR

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 06-02-2015

06.02.2015

Heard learned counsel for the parties.

I. A. No. 958 of 2015 is rejected.

Even the writ application is required to be dismissed for the simple reason that the predicament, in which the present petitioner is, is creation of a judicial order, passed in C.W.J.C. No. 8656 of 2013, decided on 25.10.2013. Any amount of interference or leeway or even interim kind of indulgence shown by this Court in favour of the petitioner will have the effect of either

diluting / overriding or rewriting the decision, passed by the Learned Single Judge, whose Order is Annexure-13. The petitioner has obviously approached the wrong forum in this regard. He should have either filed a review before the Learned Single Judge or assailed the Order before a Division Bench for appropriate direction. This Court cannot exercise jurisdiction in view of the above judicial limitation.

Both interlocutory application as well as writ application stands dismissed.

(Ajay Kumar Tripathi, J.)

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