

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18941 of 2015

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Al Shaheen Paramedical College And Hospital Masrak, Saran through Shamim Fatma W/o Dr. Md. Qasim, Founder Trustee of Dr. Shaheen Neshat Memorial Trust, Mashrak Saran, and Director - in - Chief, Resident of Mashrak, P.S. Mashrak, District - Saran

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Health Department, Govt. of Bihar, Patna

2. Joint Secretary, Department of Health, Govt. of Bihar, Patna

3. Controller of Examination, PM & PD Examination Committee, NMCH Campus, Patna 800016

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Atif Inam

For the Respondent/s : Mr. SC1- M.K. Sinha

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 15-02-2016

Heard learned counsel for the parties.

Adhocism cannot prevail either in the decision making or in the manner an institution is being run, which is supposed to claim availability of human resources as well as infrastructure to impart education and training in certain para-medical courses.

Since most of these students have a vital role to play in dispensation of medical service to society, maintenance of standards and quality is paramount.

The reason for the petitioner for approaching the High Court is that permission is being granted by the State authorities for a limited period and peace-meal manner, which is coming in the way of efficiency and optimum running of the institution.

Petitioner is looking for permanent recognition. According

to him there are certain recommendations in his favour. After due verification and inspection, however, without providing any rational or reasoning, the State authorities vide a notification, dated 20th of January, 2016 has given permission to the institution to take admission for limited number of seats and for a limited period of time.

The Court, therefore, directs the Principal Secretary, Health, Government of Bihar, Patna that he will constitute a team of three officers, well versed with such running of institution and the quality of education and training, immediately, and a fresh inspection will be carried out and a report submitted and based on which a final decision will be taken at the level of the State.

The Court directs the Principal Secretary, Health to constitute a committee within a period of two weeks. The committee will thereafter make an inspection, if petitioner deposits the requisite fee etc. within a period of eight weeks and submit its report and based on the report a final decision on recognition etc. would be taken within additional four weeks thereof.

The writ application is disposed off with above direction, which must be carried out within time-frame indicated above.

(Ajay Kumar Tripathi, J)

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