

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9431 of 2015

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1. Dr. Dilip Kumar Singh , S/o Late Dharm Nath Pd. Singh, Resident of Village-Kohra, P.O. Kohra, P.S.- Daudpur, District- Chapra, Saran.
 2. Dr. Dhananjay Kumar Pandey, S/o Late Shiv Kumar Panday, Resident of Village- Dewaria, P.O.- Hasulahi, P.S.- Kopa, District- Chapra, Saran.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Old Secretariat, Patna.
3. The Director-in-chief, Health Services, Government of Bihar, New Secretariat, Patna.
4. The Director-in-chief, Ayurved, Yoga and Naturopathy, Unani, Siddha and Homeopathic Medicines and System of Treatment, Health Department, Government of Bihar, New Secretariat, Patna.
5. The Registrar, Health Department Government of Bihar, New Secretariat, Patna.
6. The Development Commissioner, Government of Bihar, Old Secretariat, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Maheshwar Prasad, Advocate
For the Respondent/s : Mr. S. D. Yadav, A.A.G.-IX

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 09-12-2016

The claim of the petitioner is that in terms of scheme published in *Samagra Yogna Darpan* in the year 2014, the State Government has proposed one Homoeopathic Doctor against the population of 5000. The grievance is that such promise is not being implemented.

In the counter affidavit filed, it is submitted that



creation of post under AYUSH Cadre Rules, 2010 is under process and formalities regarding creation of posts, recruitment etc. are under contemplation.

We do not find that any direction can be issued to the State to implement the welfare scheme. The welfare scheme is framed and implemented keeping in view the financial resources for a particular scheme. We do not find that any direction can be issued to provide facility of Homoeopathic Doctor to the population of 5000 in exercise of public interest jurisdiction of this Court.

Consequently, the writ petition stands dismissed.

(Hemant Gupta, ACJ)

(Vikash Jain, J)

Sunil

AFR/NAFR	N. A. F. R.
CAV DATE	N. A.
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