

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9150 of 2016

Dr. B. R. Ambedkar Institute Of Dental Sciences And Hospital having its Office at Hari Om Nagar, P.S. Rupaspur, New Bailey Road, Patna through its Principal namely Dr. M. Shrinivasa Raju, son of M. Krishnam Raju, resident of H. No. 204, Jai Anoop Apartment, Hariom Nagar, Patna.

.... Petitioner/s

Versus

1. The Union of India Through Its Secretary, Ministry of Health and Family Welfare, Government of India, New Delhi 110002.
2. The Secretary, Ministry of Health and Family Welfare, Government of India, New Delhi 110002.
3. The Dental Council of India, through its Secretary, Aiwan-E-Ghalib Marg, Kotla Road, New Delhi-110002.
4. The Secretary, Dental Council of India, Aiwan-E-Ghalib Marg, Kotla Road, New Delhi-110002.

.... Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Y. B. Giri, Sr. Advocate Mr. Anjani Kumar Jha
For the Respondent/s	:	Mr. S.D Sanjay (Addl. Soc. Gen.)
For the DCI:		Ms. Punam Kumari Singh, CGC

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 21-07-2016

Past is past. Petitioner is paying and has paid for the sins and follies committed by them, which has also emerged in the records as well as the order of the committee, dated 08.07.2016, copy of which has been produced by the counsel for the Union of India.

Learned senior counsel representing the petitioner submits that they are open to inspection any time, any date, which suits to the Dental Council of India. The only reservation they have is that newly constituted inspecting team or committee should not contain the name of Dr. Debashish Banerjee, because they have

alleged certain motive and mala fide against him.

I am sure that there are enough people available at the disposal of the DCI to constitute a committee for inspection, excluding Dr. Banerjee.

The Court has been assured that there will be no resistance of any kind put up by the institution, if the inspection is carried out this time and there will be full cooperation in this regard rendered by the management.

Let the assurance be implemented in letter and spirit.

Petitioner is free to take all steps to facilitate the inspection, which they want to be conducted by DCI in this regard at the earliest, so that the process of inspection could be completed and the reports of the committee could be submitted for decision making.

Writ application stands disposed off with observation / direction as above.

An early inspection will be in the interest of the institution as well as the regulatory authority.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	21.07.2016
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