

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 2943 of 2015

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Ramesh Kumar Son of Late Sahdeo Mahto, Resident of Village - Bandihuli, Police Station - Baheri and District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner-cum-Secretary, Health Department Government of Bihar, Patna.
3. The District Magistrate, Darbhanga.
4. The Chief Medical Officer-cum-Civil Surgeon, Darbhanga.
5. The Additional Chief Medical officer, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-03-2016

Heard learned counsel for the parties.

The petitioner has approached the Court for grant of certificate of registration and issuance of licence for running Ultra Sound Centre at Allalpatti, Darbhanga.

Learned counsel for the petitioner submits that after making application, certain defects were pointed out and he also rectified the same but still the certificate has not been issued.

As per the stand taken in the counter affidavit, the petitioner was not only required to rectify the defects but even his show case has not been filed in time as admittedly in the notice issued to him on 07.01.2015, it was specifically stated that the reply was to be filed within seven days of the date of the notice and the petitioner has filed his reply on 19.01.2015 i.e., after 11 days. It is further submitted that in the said reply, it has not been

stated that the notice has been received late by the petitioner. However, learned counsel submits that a coordinate Bench of this Court in the case of **Manoj Kumar Yadav and Others Vs. The State of Bihar and Others** (C.W.J.C. No. 921 of 2015) while disposing off the writ petition on 17.07.2015, was pleased to give liberty to the petitioner to file fresh application for consideration before the appropriate/competent authority under the relevant Acts and Rules and further that if the same was filed, the respondent authority shall consider it in accordance with law.

In view of the aforesaid, learned counsel for the petitioner submits that the present writ petition be disposed off in similar terms.

Accordingly, the writ petition stands disposed off with liberty to the petitioner to file a fresh application before the appropriate/competent authority under the relevant Acts and Rules. If the same is filed within four weeks from today along with a copy of this order, it shall be considered by the concerned authority expeditiously and in any case within the stipulated time prescribed for such consideration. In case there is no time limit fixed, the same shall be finally disposed off within three months from the date of such application being filed by the petitioner.

(Ahsanuddin Amanullah, J.)

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