

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19599 of 2014

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1. Manish Kumar, son of Sri Kishore Singh, Resident of village - Patilhi,
P.O. Senduari, P.S. Hajipur Sadar, District - Vaishali at Hajipur.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Director-in-Chief, Health Services, Government of Bihar, Patna.
4. The State Drug Controller, Bihar, Patna.
5. The District Magistrate, Vaishali at Hajipur, District - Vaishali at Hajipur.
6. The Civil Surgeon-cum-Chief Medical Officer, Vaishali at Hajipur, District - Vaishali.
7. The Additional Chief Medical Officer, Vaishali at Hajipur, District - Vaishali
8. The Drug Inspector, Vaishali at Hajipur, District - Vaishali

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Patanjali Rishi, AC to AAG-10

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 09-02-2016 Heard Mr. Vijay Kumar Singh, learned counsel for the petitioner, and Mr. Patanjali Rishi, learned AC to learned Additional Advocate General No. 10, appearing for the State respondents.

Petitioner's grievance, in this writ petition, made under Article 226 of the Constitution of India, is that illegal Diagnostic Centre are being allowed to run in the district of Vaishali without registration thereof and without following the procedure prescribed by law.

By filing counter affidavit, the State respondents have

submitted to the effect that in terms of the provisions of the Clinical Establishments (Registration and Regulation) Act, 2010 and Rules 2013 thereof and, thereafter, by Gazette Notification, a letter bearing No. 1345(18), dated 21.08.2015, all the Civil Surgeon-cum-Secretary, as District Registration Authority, have been directed to register Clinical Establishment under the said Act.

In view of the above, it is conceded, on behalf of the petitioner, that further proceedings of this Public Interest Litigation may be closed with liberty to the petitioner to approach this Court with appropriate application, in future, if such a situation arises.

To the submissions so made, no objection has been raised by the respondents.

In view of the above, the present proceeding is closed and this Public Interest Litigation is disposed of as having become infructuous with liberty to the petitioner to approach this Court with appropriate application, in future, if such a situation arises.

(I.A. Ansari, ACJ)

(Hemant Gupta, J)

A.I./-

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