

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2143 of 2016

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Bimal Kumar Sinha S/o late Peer Narayan Prasad Resident of Village-Mathurapur,
Po Mathurapur, P.s Waris Nagar, District Samastipur.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna, Bihar
2. The Chief Secretary, Government of Bihar, Old Secretariat Bhawan, Patna.
3. Commissioner-Cum-Secretary, Department of Health and Family Welfare , Vikash Bhawan, Government of Bihar, New Secretariat, Patna.
4. Director, (Desi Chiktisa), Department of Health, Medical Education and Family Welfare, Government of Bihar, Old Secretariat Bhawan, Patna.
5. Registrar, Bihar Rajya Homoeopathy Chiktisa Board, Kadamkuan, Patna 3
6. The Union of India, through Ministry of Health and Family Welfare Department of Ayurveda, Yoga & Naturopathy , Unani, Siddhi & Homoeopathy , (Ayush)
7. Chairman, Central council of Homoeopathy , Jawahar Lal Nehru Bhartiya Chikitsa Avum Homeopathy Arusndhan Bhawan, No. 61-65 Institutional Area Opposite D Block Janakpuri New Delhi 58
8. Vice -Chancellor, B.R. Ambedkar University Muzaffapur.
9. Principal of Dr. Yadubir Sinha Homeopathic Medical College & Hospital Laherisarai, Darbhanga.
10. Dr. Bharat Kumar Singh, Principal Dr. Yadubir Sinha Homoeopathic Medical Collge & Hospital Laheria Sarai Darbhanga.

.... Respondents

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Appearance :

For the Petitioner : Mr. Raju Shekhar, Advocate
For the Respondent UoI: Mr. Awadhesh Kumar Pandey,
Mr. Ravinder Kumar Sharma, C.G.C.
For the Respondent No.8: Mr. Dhruba Mukherjee, Sr. Advocate
Mr. Ganesh Singh, Advocate
Mrs. Praveena Kumar, Advocate
For the Respondent No. 9 & 10: Mr. Niranjana Kumar, Advocate
For the Respondent C.C.H. : Mr. Ashok Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 24-11-2016

Any right of a citizen can only flow from the Rules and Regulations including Statute which are in place. If a time frame has been fixed for completion of BHMS course as well as internship then may be the Court in a given facts of the case can give certain leeway

for a candidate provided bonafide or the reason are not in question or dispute.

Outer limit fixed for completion of course and internship is six and a half years, the petitioner has taken 22 years to pass the BHMS examination. I do not know how many years he spent in which year and for what reason. The facts being what they are, this Court will not allow any internship being allowed in favour of the petitioner.

Writ application is dismissed being devoid of merit.

(Ajay Kumar Tripathi, J)

Pawan/-

AFR/NAFR	NAFR
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