

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3484 of 2017

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Manoj Kumar, S/o Ramlakhan Saw, At + P.O.-Aliganj, P.S.-Chandradeep,
District-Jamui, Pin Code-811301

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Department of Health and Family Welfare, New Delhi.
2. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretary, Patna, Bihar.
3. The Principal Secretary, Department, of Health, Medical Education and Family Welfare, Government of Bihar, Patna.
4. The Medical Council of India, through its Secretary, New Delhi.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Amit Pandey, Advocate.

For the Respondents-State: Mr. S.D. Yadav, AAG 9.

For the Union of India: Mr. S.D. Sanjay, Addl. Solicitor General &
Dr. Punam Kumari Singh, CGC.

For the M.C.I. Mr. Kumar Brijnandan and
Mr. Tareeq Hameed, Advocates.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-04-2017 Based on a statement made by the Union Finance Ministry in the Floor of the Parliament with regard to establishment of All India Institute of Medical Science and a project for implementing in the State of Bihar, the petitioner's grievance in this Public Interest Litigation is that the statement made in the Budget Speech has not been fulfilled; the State and the Union of India have not carried out the obligation made in the budget speech.



2. Except for contending that the speech was made in the Budget Presentation in the year 2015-16, nothing is available on record that the statement made in the Budget Speech was converted into a statutory provision or Act and thereafter for complying with the statement made in such a speech in the Floor of the House, no mandamus can be issued. The petitioner may take up the matter with the competent authority of the Union of India or the State Government.

3. With the aforesaid liberty to the petitioner finding no case for issuance of mandamus based on the statement made in the Floor of the House, we dispose of the matter.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Dilip, AR.

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