

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9522 of 2017

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The Temple Of Hahnemann Homeopathic Medical College And Hospital,
Opposite Post Office, Bhagat Singh Chowk, Munger- 811201 (Bihar), through
its Acting Principal Dr. Ashok Kumar Tiwari, Son of Late Ram Das Tiwari,
Resident of Rajiv Gandhi Chowk, Chowk Bazar, P.S. Kotwali, Munger.

... .. Petitioner

Versus

1. The Union of India through the Secretary, Ministry of AYUSH, AYUSH BHAWAN, B- Block, G.P.O. Complex, INA, New Delhi- 23.
2. The Secretary, Ministry of Ayurveda, Yoga and Naturopathy, Unani Siddha and Homoeopathy, Ayush Bhawan, B- Block, G.P.O. Complex, INA, New Delhi- 110023.
3. The State of Bihar through its Principal Secretary, Department (Health & FW), Department of Health, Vikas Bhawan, New Secretariat, Patna.
4. The Director, Desi Chikitsa, Health Department, Govt. of Bihar, Patna.
5. The Secretary, Central Council of Homoeopathy, 61-65, Institutional Area, Opp. D' Block, Janakpuri, Delhi- 10058.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Mr. Pramendra Kumar Singh
For the Union of India	:	Mr. S. D. Sanjay, Addl. S. G. Ms. Kanak Verma, CGC
For the C. C. H.	:	Mr. Ashok Kumar Sinha, Sr. Adv. Mr. Atul Kumar Pandey
For the State of Bihar	:	Mr. Suryadeo Yadav, AAG IX

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

7 31-10-2017 The petitioner is a college, imparting teaching of Bachelor Course in Homeopathy (BHMS). The college is aggrieved by an order of the Government of India, Ministry of Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homeopathy (AYUSH), whereby on the ground that the college was not fulfilling the requisite conditions in terms of infrastructure etc. has been denied the permission to undertake admission of students for the



academic sessions 2016-17.

Arguments, at length, have been advanced on behalf of the petitioner, assailing the impugned order on the ground of breach of Section 19 of the Homeopathic Central Council Act, 1973.

I have heard Mr. Sanjay Kumar, learned Counsel for the petitioner, Mr. S. D. Sanjay, learned Additional Solicitor General, for the Union of India and Mr. Ashok Kumar Sinha, learned Senior Counsel, representing the Central Council for Homeopathy.

In my view, the relief, as sought for on behalf of the petitioner, cannot be entertained at this stage, for the reason that the said academic sessions 2016-17 has come to an end. The impugned order was passed on 26.10.2016. The writ application came to be filed on 10.07.2017, on the closure of the academic sessions. On that ground alone, this writ application is fit to be dismissed.

From the impugned order, I find that the Government of India has issued certain directives to the petitioner for the forthcoming academic sessions 2017-18 for the purpose of grant of permission for the said academic sessions.

Learned Counsel for the petitioner informs this Court that he does not have any instructions with respect to the said



academic sessions 2017-18.

Considering the above, this application stands dismissed.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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