

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20384 of 2016

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Ghanshyam Prasad, Son of Sri Mahanth Prasad, Resident of Village- Siswa Saraiya, Police Station- Ojhabalia, District-West Champaran.

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.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Health and Medical Education, Government of Bihar, Patna.
3. The Principal, Patna Medical College and Hospital, Patna.
4. The Principal, Nalanda Medical College and Hospital.

.... Respondents

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Appearance :

For the Petitioner : Mr. Suraj Narain Yadav, Advocate
For the State : Mr. Chandra Shekhar Singh, AC to GA-10

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-12-2017 This application has been filed seeking direction commanding upon the respondents to transfer the petitioner to Patna Medical College, Patna from Nalanda Medical College, Patna to pursue his 2nd year M.B.B.S. Course.

Learned counsel appearing on behalf of the State of Bihar has drawn my attention to Regulation-6((1) of Medical Council of India Regulations and Graduate Medical Education, 1997 to contend that migration from one Medical College to another located within the same city is impermissible.

Learned counsel for the State appears to be correct in his submission. The said Regulation-6(1) reads thus :-

“ 6(1). Migration of students from one medical



college to another medical college may be granted on any genuine ground subject to the availability of vacancy in the college where migration is sought and fulfilling the other requirements laid down in the Regulations. Migration would be restricted to 5% of the sanctioned intake of the college during the year. No migration will be permitted on any ground from one medical college to another located within the same city.” (emphasis mine)

In view of the specific provision under the regulation, the relief sought on behalf of the petitioner cannot be entertained, this writ application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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