

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18113 of 2016

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1. Ranjay Kumar, Son of Sree Yadav, Resident of Village - Manpur, P.O. - Amawan, P.S. - Sare, District - Nalanda.
 2. Mukul Kumar, Son of Kanhaiya Prasad Gupta, Resident of Village - Shivpuri, Ward No. 16, District - Lakhisarai.
 3. Nilmani Choudhary, Son of Ram Nath Choudhary, Resident of Village + P.O. - Lalpur, P.S. - Pipra, District - Supaul.
 4. Tej Pratap Dipak, Son of Late Bipat Mandal, Resident of Village - Tarha, P.O. - Baihari, P.S. - Singheshwar, District - Madhepura.
 5. Shashi Bhushan Yadav, Son of Ravindra Prasad Yadav, Resident of Village + P.O. - Barkagaon, P.S. - Mirganj, District - Gopalganj.
 6. Pavan Kumar Yadav, Son of Dashrath Yadav, Resident of Village + P.O. - Pothia, P.S. - Falka, District - Katihar.
 7. Shashi Shreyas, Son of Raj Kumar Das, Resident of Village + P.O. - Pandaul, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary.
2. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Chairman, Bihar Combined Entrance Competitive Examination Board, IAS Bhawan, Patna.
4. The Controller Examination, Bihar Combined Entrance Competitive Exam, IAS Bhawan, Patna.
5. The Medical Council of India, through its Secretary, Sector - 8, Pocket - 14, Dwarka Phase - 1, New Delhi - 110077.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Y.V. Giri, Sr. Adv.
Mr. Pranav Kumar, Adv.



For the State : Mr. Binod Kr. Yadav- SC18
For the BCCEB : Mr. Prasoon Sinha, Adv.
For the MCI : Mr. Kumar Brijnandan, Adv.
Mr. Tarees Hameed, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & ORDER

Date: 02-11-2017

This writ application, under Article 226 of the Constitution of India, has been filed seeking direction to the respondents to allot MBBS seats against the session 2014-15. It is petitioners' case that because of a Division Bench decision of this Court in case of ***G.V. Nutan Vs. The Bihar Combined Entrance Competitive Examination Board & Ors.***, reported in ***2014 (2) PLJR, 725***, they were denied admission for the said session.

2. Mr. Y.V. Giri, learned Senior Counsel, appearing on behalf of the petitioners, has relied on a subsequent Full Bench decision of this Court in case of ***The Controller of Examination, Bihar Combined Entrance Competitive Examination, 1999 Vs. Nidhi Sinha & Anr.***, reported in ***2016 (3) PLJR 273***, to submit that law laid down by the Division Bench of this Court, in case of ***G.V. Nutan (supra)***, has been held to be not a good law.

3. The petitioners are said to have applied for reconsideration of their cases for admission to the MBBS course for



the said session, in view of the said subsequent Full Bench decision of this Court, in case of *The Controller of Examination, Bihar Combined Entrance Competitive Examination, 1999 (supra)*.

4. In view of the fact that the matter relates to admission to MBBS course for the session 2014-15, no relief can be granted now, in any circumstance, by this Court.

5. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	03/11/2017
Transmission Date	N/A

