

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1331 of 2016

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Ranjan Kumar, S/o Jaldhar Yadav, R/o Mohalla - Sandalpur, P.S. Kasimbazar, P.O. + District Munger, Present Governing Body, Temple of Haniman Homeopathic Medical College and Hospital, Munger

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary Cum Commissioner Health and Medical Education Govt. of Bihar, New Secretariat, Patna
2. The Deputy Secretary, Department of Health and Health and Medical Education Govt. of Bihar, New Secretariat, Patna
3. The Director, Desi Chikitsa (Indigenous System) of Homeopathic Medicine, Department of Health, Govt. of Bihar, New Secretariat, Patna
4. Vice Chancellor, Baba Sahab Bhim Rao Ambedkar Bihar University, Muzaffarpur
5. Baba Sahab Bhim Rao Ambedkar Bihar University through, Registrar, Muzaffarpur
6. Central Council of Homoeopathic Medicine through Secretary, Jawalharlal Nehru Bhartiya Chikitsa Avum Homeopathic Anusundhan Bhawan No. 61 - 65 Vth and VIth Floor Opposite 'D' Block Institutional Area Janakipuri, New Delhi
7. The Bihar State Board of Homoeopathic Medicine through Registrar, Anugrah Narain Road, Kadamukuan, Patna, Bihar
8. Dr. Moti Chand Choudhary, Secretary, Adhoc Committee Temple of Hahnemann Homoeopathic Medical College, Munger
9. Dr. Saryug Kumar, Assistant Professor, T.T.H.H. Medical College and Hospital Munger
10. Dr. Arun Kumar, Assistant Professor, T.T.H.H. Medical College and Hospital Munger

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Syed Mohammad Shabbir Alam, Advocate
For the University : Mr. Rakesh Kumar Singh, Advocate
For the State : Mr. Sanjay Kumar, A.C. to S.C. 8

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 31-07-2017

Apart from the fact that there is delay of more than 2 years and 326 days in filing of this appeal under Clause 10 of the



Letters Patent, the only direction issued in the writ petition on 03.07.2013 was that the life of the Original Committee has come to an end on 20.09.2007 and after expiry of three years, as a fresh committee has not been constituted, the *ad hoc* Committee was constituted by the University and the University has been directed to constitute the regular Committee within a period of three months.

2. Keeping in view the nature of order passed, we are not inclined to interfere into the matter. In case after the order is passed, the Regular Committee has not been constituted and still the *ad hoc* Committee is functioning, appellant may take recourse to such remedy as may be permissible under law for challenging the aforesaid action. Once the only order passed in the writ petition was to constitute Regular Committee within three months, we see no reason to make any indulgence into the matter.

3. The Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	03.08.2017
Transmission Date	

