

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2618 of 2016

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Rajesh Kumar Dubey, Son of Shri Kesh Nath Dubey, Resident of Mohalla Mahatma Gandhi Nagar, P.S.-Town Thana, District-Buxar.

.... 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 Secretariat, Patna, Bihar.
3. Principal Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna.
4. Bihar Combined Entrance Competitive Examination Board through its Controller of Examination, I.A.S. Association Building, near Patna Airport, Patna-800014.
5. Lord Budha Koshi Medical College & Hospital through its Principal, At-NH-107, Baijnathpur, Saharsa, Bihar-852201.
6. Narayan Medical College and Hospital through its Principal, At + PO-Jamuhar, District-Rohtas, PIN-821305.
7. Katihar Medical College and Hospital through its Principal, Katihar, Karim Bagh, Katihar, District-Katihar (Bihar), PIN-854105.
8. Mata Gujri Memorial Medical College through its Principal, Kishanganj, Puraballi, Dinajpur Road, Kishanganj, District-Kishanganj (Bihar), PIN-855107.
9. Medical Council of India through its Secretary, New Delhi.

.... Respondent/s

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Appearance:

For the Petitioner/s :
For the Respondent/s : Mr. P.N.Shahi, AAG-6.
Mr. Dharendra Kumar, AC to AAG-6.
For the Respondent No.1 : Mr. Anjani Kumar Sharan, C.G.C.
For the Respondent No.9 : Mr. Kumar Brijnandan, Advocate.
For BCECE Board : Mr. Vikas Kumar, Advocate.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 18-01-2017

The present writ application in public interest litigation
has been filed for claiming a writ of mandamus directing the private
medical colleges in the State of Bihar to select and admit the students



in the MBBS courses for the academic session 2016-17 on the basis of Common Interest Test to be conducted by an association of all the private medical colleges in the State of Bihar or from the Common Entrance Test conducted by the Bihar Combined Entrance Competitive Examination Board.

The said prayer has become redundant in view of the Constitution Bench Judgment of Hon’ble Supreme Court reported as (2016) 4 SCC 346 (Modern Dental College and Research Centre. v. State of Madhya Pradesh.).

In view thereof, we do not find any directions are called for in the present writ application. Accordingly, the same is dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Mishra/-

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

