

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18202 of 2017

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Md. Fakhruddin Idrisi, Son of Md. Ejaz Ahmad, resident of Village -
Sobhan, P.S. - Simri, District - Darbhanga.

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Health (Ayush), Government of India.
2. The Secretary, Ministry of Ayurveda, Yoga & Naturopathi, Unani, Siddha and Homeopathy (Ayush), Government of India, New Delhi.
3. The Under Secretary, Ministry of Ayurveda, Yoga & Naturopathy, Unani, Siddha and Hoemopathy (Ayush), Government of India, New Delhi.
4. The Director, Ministry of Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homeopathy (Ayush), Government of India, New Delhi.
5. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
6. The Principal Secretary, Department of Health (Ayush), Government of Bihar, Patna.
7. The Bihar Combined Entrance Competitive Examination Board, IAS Bhawan, Patna through its Secretary.
8. The Chairman, Bihar Combined Entrance Competitive Examination Board, IAS Bhawan, Patna.
9. The Secretary, Bihar Combined Entrance Competitive Examination Board, IAS Bhawan, Patna.
10. The Controller of Examination, Bihar Combined Entrance Competitive Examination Board, IAS Bhawan, Patna.
11. The Central, Council of Indian Medicine, New Delhi through its Secretary, 61-65, Institutional Area, Opposite - D Block, Janakpuri, New Delhi - 110058.
12. The Secretary, Central Council of Indian Medicine, New Delhi, 61-65, Institutional Area, Opposite D - Block, Janakpuri, New Delhi - 110058.
13. The Principal, Government Tibbi College, Patna, Kadamkuan, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate
For the Respondent/s : Mr. S.D.Yadav, AAG- 9
For the Union : Mr. S. D. Sanjay, Addl. S.G.
Mr. Kumar Priya Ranjan, CGC
For Resp. 8 to 10 : Mr. Prasoon Sinha, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)



2 18-12-2017

In the matter of admission to the institute in question and due to non-availability of candidates in a particular category, in case of seats have not been denotified and removed from the reservation, persons aggrieved and who are interested in seeking admission to the course in question may challenge the act of the respondents in accordance with the statutory provisions governing the reservation, but at the instance of the petitioner in a public interest litigation, we see no reason to make any indulgence into the matter.

Granting liberty to the aggrieved persons, who want to take admission in the institute in question, to ventilate their grievance in accordance with law, we dispose of the matter.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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