

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2167 of 2015

In

Civil Writ Jurisdiction Case No. 3659 of 2014

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Dr. Vikash Shankar, S/o Dr. S. Prakash, Resident of Mohalla - Makhania
Kuan, P.S. - Pirbahore, District - Patna

.... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Health, Govt. of Bihar, Patna
3. The Joint Secretary, Department of Health, Govt. of Bihar, Patna
4. The Medical Council of India through Its President, New Delhi
5. The Bihar Medical Council of Registration, Rajendra Nagar, Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Subodh Kumar Jha, Advocate
Mr. Pranav Kumar Jha, Advocate

For the Respondent/s : Mr. A. Ujjwal, SC-25

For the M.C.I. : Mr. Kumar Brijnandan, Advocate
Mr. T. Hamed, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

9 24-01-2018 Keeping in view the nature of order passed by the learned Writ Court and the fact that the constitutional validity of Bihar Medical Education Service Recruitment, Appointment and Promotion (Amendment) Rules, 2013 is being challenged now for the first time in this appeal, which is not permissible, learned counsel for the appellant seeks permission to withdraw this appeal with liberty to file a fresh petition challenging the constitutional validity of the aforesaid Rule, which is permitted to do so.



The appeal stands dismissed as withdrawn.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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