

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 22362 of 2018

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1 Dr Arbind Kumar Jha, s/o Shri Narnath Jha, r/o Brahapur, PS – Phulpras,
District – Madhubani

2 Dr Simant Sourav, s/o Ram Naresh Chaudhary, NH 28, Bhagwanpur
Chowk opposite hotel midway, PS – Sadar, District – Muzaffarpur

3 Dr Santosh Kumar Singh, s/o Sankatha Singh, r/o Village – Masadi, PO –
Deohalia, Ramgarh, PS – Ramgarh, District – Kaimur (Bhabua)

... .. Petitioner/s

Versus

1 The State Of Bihar through Principal Secretary, Health, New Secretariat,
Patna

2 The Principal Secretary, Health, New Secretariat, Patna

3 The Secretary, Health Department, New Secretariat, Patna

4 The Bihar Public Service Commission through its Chairman, 15,
Jawaharlal Nehru Marg, Bailey Road, Patna

5 The Chairman, Bihar Public Service Commissioner, 15, Jawaharlal Nehru
Marg, Bailey Road, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Chandra Kant, Advocate
For the B P S C	:	Mr D K Sinha, Sr Advocate
		Mr Anil Kr Singh No 1, Advocate
For the S t a t e	:	Mr Aditya Nath Jha, AC to SC XVIII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 27-11-2018

Learned counsel for the petitioner submits that the selection process is required to be conducted in accordance with the Indian Medicine Central Council (Minimum Standards of Education in Indian Medicine) Amendment Regulations, 2016 (for brevity, *the Regulations*). In view of the provisions contained in Rule 13 (d) of the Regulations, the petitioners, who are qualified in the concerned subject are required to be given preferential treatment in the matter of selection over and above



the applicants who are qualified in the allied subjects.

The submission is based on the Regulations which have been annexed. The selection process is still going on. No selection has been made and, as such, this Court would observe that the petitioners are not in a position to raise any tangible grievance at the moment as the submission of the petitioners is based merely on an assumption that the persons in the allied subjects will be given preferential treatment over the petitioners who claims to be qualified in the subject concerned.

Learned counsel for the petitioners, faced with the aforesaid difficulty, seeks permission to withdraw this writ petition with liberty that they may challenge the result in case the same is not in accordance with law.

With liberty, as aforesaid, the writ petition is dismissed as withdrawn.

(Madhuresh Prasad, J)

M.E.H./-

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