

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2053 of 2016

In

Civil Writ Jurisdiction Case No. 15011 of 2016

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1. Lord Buddha Koshi Medical College & Hospital, Baijnathpur, Saharsa - 852201 through its Chairman, Dr. Prabhas Kumar Singh S/o Late Shashi Bhushan Singh R/o P.K. Hospital, New Colony, Saharsa, Bihar.

.... Appellant/s

Versus

1. Kundan son of Shiv Shankar Sharma resident of village - Parari, P.O. - Taranagar, P.S. - Bihta, District - Patna - 800023.
2. Himani Rana daughter of Balwant Singh Rana resident of village - Ree, P.O. - Hamirpur, P.S. - Hamirpur, District - Hamirpur, (Himachal Pradesh).
3. Rajani Ratna daughter of Paras Nath Gupta resident of Mohalla - Kalambagh Road, P.S. - Kazi Mohammadpur, P.O. - Ramna, District - Muzaffarpur.
4. Mukta Halder daughter of Golock Chandra Halder resident of Mohalla - Sardar Road, Ward No. - 13, Lawan, P.S. - Kasdol, District - Baloda Bazar (Chhattisgarh)
5. Shalini Singh daughter of C.S. Singh resident of Mohalla - Flat 304, R.P. Kunj, New Patliputra Colony, P.S.- Patliputra Colony, District - Patna.
6. Kavita Jaiswal daughter of Balaji Jaiswal resident of village - Birkana, P.O. - Dharampura, P.S. - Pipraiya, District - Kawardha, (Chhattisgarh).
7. V.A. Joel Donald son of V.A. Kiran Kumar At House No. - 5-1-86/3, Sanjeeva Nagar, P.S. - Sangareddy, District - Medak, State - Telangana.
8. Ramineni Raja son of R. Srinivasa Rao At House No. - 22-11-3/1, Aditya Colony, Palakol, District - West Godawari (Andra Pradesh).
9. G. Venkata Sai son of Gangishetty Vijay Kumar At Plot No. - 176, Opposite Ashtalakshmi Temple, R.K. Puram, Vasavi Colony, P.S. - L.B. Nagar, Hyderabad.
10. Karthik Surabhi son of S. Rajasekhar At Plot No. - 5, P & T Colony, New Bakaraw, P.S. - Musheerabad, District - Gandhinagar, Hyderabad.
11. D. Madhupriya daughter of D.Y.N. Verma At 55-9-1/33, Door No. V - 201, Jeevan Visakha Apartments, Beside LIC Office, MMTC Colony, Seethammadhara, P.S. - III Town Police Station - Visakhapatnam - 530022 (Andra Pradesh)
12. Seraj Ahmad son of Md. Azimullah resident of village - Fathan, P.O. + P.S. + District - Gopalganj (Bihar).
13. Anu Priya daughter of Vijay Kumar Thakur At 3 Giridra Mohan Road, Near AIR Darbhanga, P.O. - Lalbagh, P.S. - Town, District - Darbhanga - 846004.
14. Vishal Kumar son of Birendra Ojha At North Railway Colony, Quarter No. 49CD, P.O. - Gajadharganj, District - Buxar - 802103.
15. Himanshu Shekhar son of Pramod Kumar Rai resident of village + P.O. Singhachappar, P.S. M. Bettiah, District - West Champaran - 845438.
16. Aakriti Kiran daughter of Sanjay Kumar At Saristabad, Indrapuri Path, A - 30, P.O. - G.P.O. P.S. - Gardanibagh, District - Patna - 1.
17. Mritunjay Kumar Jha son of K.C. Jha At B - 4, Nehru Vihar Apartment, Nehru Nagar, P.S. - Patliputra Colony, District - Patna - 800013.
18. Indramil Basak son of Late H.G. Basak At 91 P.C. Ghosh Road, P.S. -



- Lake Town, P.O. - Shreebhumi, District - Kolkata - 700048.
19. Anant Aaditya Shivam son of Late Dr. S.K. Sharma At Readers Qtr. No. - 15, BRA Bihar University Campus, District - Muzaffarpur - 842001.
20. Sadique Abdullah son of Md. Shoaib resident of Mohalla - Mathiya Zirat, Near Basuram Laxman Pd. Ayurvedic College & Pharmacy, P.O. - Motihari, P.S. - Chhatauni, District - East Champaran - 845401.
21. Zayed Aashique son of Md. Mustafa At Shayampurdayal, P.S. - Bidupur, P.O. - Madhurapur, District - Vaishali - 844503.
22. Soumya Kanti Panja son of A.K. Panja At Medical College Road, Kasuhalya Kharagpur, District - West Midanpur - 721301, (West Bengal).
23. Ashwani Kumar Rai son of Hemant Rai At C - 19/53, Kashi Vidyapeeth, P.S.- Sigra, District - Varanashi - 221002(U.P.).
24. Anirudh Yadav son of Anil Kumar At Qtr No. 67/3, M.E.S. Qtr. Shiv Mandir, Polosquare Danapur Cantt., P.O. + P.S. - Danapur, District - Patna - 801503.
25. Sanja Parveen daughter of Md. Humayun Ansari At Seva Medical Hall, Near Savitri Cinema Hall, N.H. 31, P.O. - Begusarai Head P.O. District - Begusarai - 851101.
26. Sunita Kumari daughter of Vijay Choudhary At Gandhinagar, Simrahi, P.O. + P.S. - Raghupur, District - Supaul - 852111.
27. Sukanya Sudhir Tomar daughter of Sudhir Kumar Singh At 'Shubham Aawas', Nunudih, P.O. - Palherdih, P.S. - Sudamdih, District - Dhanbad - 828119.
28. Aamir Khan son of Raisuddin Khan At Narayanpur, P.O. + P.S. Mansahi, District - Katihar - 854103.
29. Anuradha daughter of Dr. Jitendra Kumar Singh At Maa Devta Haddi hospital Pratap Nagar, Gangjala Chowk, P.O. +P.S. + District - Saharsa - 852201.
30. Saurabh Prasad son of Prabhu Kushwaha At Krishna Toli, Brahmpura, P.O. - M.I.T. District - Muzaffarpur - 842003.
31. Om Prakash son of Ram Chandra Mahto resident of village + P.O. - Kamranw, P.S. - Dalsingsarai, District - Samastipur - 848114.
32. Pankaj Kumar son of Shukhdeo Pandit At Naya Tola, Near Kanak Bhawan, in front of Labour Court, P.S. - Kazi Mohammadpur, P.O. - Head Post Office, Muzaffarpur, District - Muzaffarpur - 842001.
33. Tulika daughter of Shailendra Kumar resident of village - Saidpura, P.O. - Alinagar, P.S. - Surajgarha, District - Lakhisarai.
34. The State of Bihar through Chief Secretary, Bihar, Patna.
35. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
36. The Director of Medical Education, Bihar.
37. The Medical Council of India, through its Secretary, Sector - 8, Pocket - 14, Dwarka Phase - 1, New Delhi - 110077.
38. The Union of India, through its Secretary, Ministry of Health & Family Welfare, Department of Health & Family Welfare, Govt. of India, Nirman Bhawan.
39. The Vice Chancellor, B.N. Mandal University, Lalu Nagar, Madhepura.
40. The B.N. Mandal University through its Registrar, Lalu Nagar, Madhepura.

.... Respondent/s

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with
Letters Patent Appeal No.515 of 2017
IN
Civil Writ Jurisdiction Case No. 17306 of 2016

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1. Lord Buddha Koshi Medical College & Hospital, Baijnathpur, Saharsa - 852201 through its Chairman, Dr. Prabhas Kumar Singh S/o Late Shashi Bhushan Singh R/o P.K. Hospital, New Colony, Saharsa, Bihar.

.... Appellant/s

Versus

1. Nazia Farrukh D/o Md. Hasim Ansari resident of Mojahidpur, Gorhatta, Gulam Rasul Lane, P.O. - Tatarpur, P.S. - Mojahidpur, District - Bhagalpur.
2. Ashwani Kumar S/o Suresh Prasad Sudhanshu At - Sahebganj, Bindtoli, P.O. - Champa Nagar, P.S. - Nath Nagar, District - Bhagalpur - 812004.
3. Sunit Kumar son of Dr. Surendra Kumar resident of MIG - 316, Kankarbagh, Lohianagar, P.S. - Kankarbagh, District - Patna - 800020.
4. Tanya Gupta D/o Paras Nath Gupta resident of K.L. Gupta Auto Parts Centre, Raman Road, P.S. - Civil Lines, P.O. & District - Gaya - 823001.
5. Shazia Shama D/o Sah Zaman Khan resident of above Telephone Exchange, Sarai, Bhagalpur, P.S. - Tatarpur, P.O. - Kotwali, Pin - 812002.
6. Priyadarshini Adya D/o Priyadarshi Alok resident of Road No. 11, Behind Shila Niwas, Ashok Nagar, Kankarbagh, P.O. - Lohianagar, P.S. - Kankarbagh, District - Patna - 800020.
7. Neha Rani resident c/o Birendra Prasad Verma, Jai Prakash Nagar, P.O. & P.S. - Jakkampur, Patna - 800001.
8. Gazala Kaifi resident of Chakzohra New Colony, P.O. & P.S. - Leharia Sarai, District - Darbhanga, Pin - 846001.
9. Ritu Kumar resident of J.N. Lal Road (Kadamkuan) P.O. & P.S. - Kadamkuan, District - Patna - 800003.
10. Ratiram Sharma resident of village - Dhigariya, P.O. - Gardbasi, P.S. - Thanagazi, District - Alwar (Rajasthan) Pin - 301022.
11. Lokesh Kumar Garg resident of House No. - 142, Madhuvan Vihar, Colony Bayana, P.O. & P.S. - Bayana, District - Bharatpur (Rajasthan), Pin - 321401.
12. Vivek Kumar Singh resident of Maa Durga Motor & Lube Centre, Joda - Barbil Highway, Opp. HDFC Bank, P.O. & P.S. - Barbil, District - Keonjhar, Pin - 758035 (Odisha).
13. Suchita Kumari resident of House no. - 19, Road No. 10, Near Gandhi Murti, East Patel Nagar, P.O. & P.S. - Shastrinagar, District - Patna - 800023.
14. Pallavi resident of M - 53, RIT Cooperative Society, Adityapur - 2, Jamshedpur, P.O. - Adityapur - 2, P.S. - RIT (Jharkhand) Pin - 831013.
15. Ved Prakash resident of Lohia Chowk, Maheshkhunt, P.O. & P.S. - Maheshkhunt, District - Khagaria - 851213.
16. Mannukant resident of Khasmahal, Road no. 4, Chiraiyatand, P.O. - GPO, P.S. - Jakkampur, District - Patna - 800001.
17. Aarav Anand resident of East of Railway Loco Shed, Kayastha Tola, Ward No. 28, P.O. & P.S. & District - Saharsa - 852201.
18. Kumar Harsh Pratik resident of village - Atalakha, P.O. - Atalakha, Via - Mangwar, P.S. - Bashanahi, Block - Sonbarsha, District - Saharsa - 852217.



19. Ravi Shankar resident of village + P.O. - Prem Nagar Tole Bohuri, P.S. - Runnisaidpur, District - Sitamarhi - 843323.
20. Adwati Ritika resident of Maitri Marg, P.O. & P.S. Bariatu, Housing Colony, Ranchi (Jharkhand) Pin - 834009.
21. Saurav Kumar resident of Narayanpur, Haridagpur, Kanti, P.O. - Haridagpur, P.S. - Kanti, District - Muzaffarpur - 843109.
22. Suchin Ranjan resident of Purani Bazar, Birma Chowk, P.O. - Narkatiyaganj, P.S. - Shikarpur, Pin - 845455.
23. Bhanu Pratap Singh resident of House no. - 29, Lajpat Nagar, P.O. - Krishna Nagar (Maholi), P.S. - Highway, District - Mathura - 281004 (UP).
24. Nitish Ranjan resident of Sitakund, Kalyanchak, P.O. Dariyapur, P.S. - Muffasil, District - Munger - 811201.
25. Dhiraj Saurabh resident of village - Dhekhan Bisunpur, P.O. Dhekhan Bazar, P.S. - Piprakothi, District - East Champaran (Motihari) Pin - 845401.
26. Chinnoy Kumar resident of House Name - Lal Villa, Thana Colony, Behind Thakurganj Thana, Thakurganj, P.O. & P.S. - Thakurganj, District - Kishanganj - 855116.
27. Vivek Mohan Mishra resident of House no. - 103/C ECC Flat, Kadma, Jamshedpur, P.S. - Kadma, District - Jamshedpur (East Singhbhum) Pin - 831005.
28. Shalini Kumari resident of Nayak Toli, Rosera (Samastipur), P.S. - Rosera, District - Samastipur - 848210.
29. Anuradha Kumari resident of Karjaen Road, Simrahi Bazar, P.S. & District - Supaul, Pin - 852111.
30. Harsh resident of Satyanagar, Ward No. 16, Gangjala, P.O. + P.S. - Saharsa, District - Saharsa - 852201.
31. Dilip Kumar @ Dilip Patel resident of Devari, Bujurg, Damodarpur, Devari Bujurg, Bindki Fatehpur, Pin - 212657 (UP).
32. Sahil Kumar Ranjan resident of Hat Bazar, Murliganj, P.O. - Murliganj, District - Madhepura - 852122.
33. Sheikh Javed Alam resident of Near Fire Station, Noida Road, Shivnagar, Diu, (UT) Pin - 362520.
34. Rehana Gulshan resident of Bankers Colony, Sadpura, Paroo Pokhar, Lane No. 2, P.O. Ramna, P.O. - Kazi Mohammadpur, District - Muzaffarpur - 842002.
35. Vanshika Rani Jha resident of Donar Chowk, Opp. Gupta Marble & Sanitary, Darbhanga, Pin - 846004.
36. Jitendra Kumar Tiwari resident of village - Darveshpur, P.O. - Byapur, Via - Danapur Cantt., District - Patna - 801503.
37. Suman Bharti resident of village + P.O. - Bari Kothi, P.S. + District - Khagaria.
38. Sunny Kumar resident of High School Sabour (Campus), P.O. & P.S. - Sabour, Pin - 813210 (Bihar).
39. Kavita Kumar resident of Kavita Medical Hall, Baijnathpur, P.O. & P.S. - Saur Bazar, District - Saharsa - 852221.
40. Ramapuram Vinod Kumar At Kodumpur, P.O. - Kodumpur (Mandal) P.S. - Kodumpur, District - Kurnool, Pin - 518464 (Andra Pradesh).
41. Ritabrata Bhowmik At - Dakshin Para, P.O. - Birnagar, P.S. - Tahirpur, District - Nadia, Pin - 741127 (West Bengal).
42. Rahul Kumar Singh At P.O. - Dhamehera, P.S. - Saur Bazar, District Saharsa - 852201.
43. Kush Prakash At P.O. Birpur, District Supaul - 854340.



44. Vikash Sharma resident of Vivek Vihar, East Mahesh Nagar, Near Shivpuri Halt, Boring Road, District - Patna - 800024.
45. Vibha Chowdhary resident of Flat no. 302, Narayan Shree Apartment, Anandpuri, WBC Road, District - Patna - 800001.
46. Om Prakash Sharma resident of village - Dhigariya, P.O. - Gardbasi, P.S. - Thanagazi, District - Alwar (Rajasthan) Pin - 301022.
47. Anshu Kumari resident of village + P.O. - Keshawe, P.S. - Barauni, District - Begusarai - 851134.
48. Rajeev Ranjan resident of Block Government Colony, Ward No. - 4, P.S. + District - Supaul, Pin - 852131.
49. Aditya Vaidya At - Charbay, P.O. - Ramchandrapur Eathri, P.S. - Amarapur, District - Banka - 813102.
50. Vishwajeet Kumar resident of village - Bindwal, P.O. - Chainpur, P.S. - Goriyakothi, District - Siwan - 841439.
51. Mausam Chauhan resident of Mill Road, Marshal Gali, Ward No. - 8, Near Union Bank, District - Khagaria - 851204.
52. Sonali Sinha resident of East Side of Sai Hospital Near Jangbahadurpur Singh Market, Khemnichak, P.S. - Ram Krishna Nagar, District - Patna - 800016.
53. Deepak Kumar resident of Suraj Mandir Road, West of Thakurbari, Shapur, P.S. & District - Aurangabad - 824101.
54. Rajnikant Raja resident of New Vikramshila Colony, Pranvati Lane, P.O. & P.S. - Tilkamanjhi, District - Bhagalpur - 812001.
55. Abul Quasim Ansari @ Quasim resident of village - Sewaith, P.O. - Sewaith, Tehsil - Soram, District - Allahabad - 211013 (UP).
56. Shefalika D/o Shiv Narayan Mandal Ward No. - 10, At + P.O. + P.S. - Madhepura, District - Madhepura - 852113.
57. Rajesh Sahariar Ali @ Rajesh S/o Md. Sajed Ali resident of village - Brohmottor, P.O. Sujapur, P.S. - Kalichak, District - Malda - 732206 (WB).
58. The State of Bihar through Chief Secretary, Bihar, Patna.
59. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
60. The Director of Medical Education, Bihar.
61. The Medical Council of India through its Secretary, Sector - 8, Pocket - 14, Dwarika Phase - 1, New Delhi - 110077.
62. The Union of India, through its Secretary, Ministry of Health & Family Welfare, Department of Health & Family Welfare, Govt. of India, Niraman Bhawan.
63. The Vice Chancellor, B.N. Mandal University, Lalu Nagar, Madhepura.
64. The B.N. Mandal University through its Registrar, Lalu Nagar, Madhepura.

..... Respondent/s

Appearance :

(In LPA No.2053 of 2016)

For the Appellant/s	:	Mr. Rakesh Chandra Mr. Amit Pandey, Adv.
For the MCI	:	Mr. Kumar Brijnandan, Adv
For the State of Bihar	:	Mr. S. D. Yadav, AAG-9.
For the Union of India	:	Mr. S.D. Sanjay, Adv. Mr. Kanak Verma, CGC.



For the private respondent : Mr. Pranav Kumar
For B.N. Mandal Uni. : Shashi Bhushan, Adv.

(In LPA No.515 of 2017)

For the Appellant/s : Mr. Rakesh Chandra
Mr. Amit Pandey, Adv.
For the MCI : Mr. Kumar Brijnandan, Adv
For the State of Bihar : Mr. S. D. Yadav, AAG-9.
For the Union of India : Mr. S.D. Sanjay, Adv.
Mr. Kanak Verma, CGC.
For the private respondent : Mr. Pranav Kumar
For B.N. Mandal Uni. : Shashi Bhushan, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD

ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)

19 18-06-2018 The learned counsel for the petitioner-Medical college seeks permission to withdraw these Appeals with liberty to take up issue with regard to the eligibility certificate, he may do so. The Appeal is directed to be withdrawn in accordance with law with the aforesaid liberty.

It is made clear that we have not expressed any opinion regarding the merit of the case.

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

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