

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24379 of 2019

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Mantu Kumar Tiwary Son of Sriman Narayan, Resident of Village- Pakdi, P.S. Rajpur, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
2. The Principal Secretary, Health Department Govt. of Bihar, Patna.
3. Chairman National Eligibility and Entrance Test (NEET) Medical and Dental admission/Counseling Board 2019
4. Bihar Combined Entrance Competition Board Bihar Patna through its Chairman Patna.
5. The Chairman Bihar Combined Entrance Competitive Examination Board, Patna.
6. The Union of India through its Secretary Department of Health, New Delhi.
7. The Medical Council of India, New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pranav Kumar Jha, Adv.
For the Respondent/s	:	Mr.S.D. Yadav (AAG-9)
For BCECE		Mr. Prasoon Sinha, Adv.
For U.O.I.		Mr. S.D. Sanjay, Addl. S.G.
		Mrs. Priya Gupta, Adv.
For M.C.I.		Mr. Kumar Brijnandan, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-12-2019 This application has been preferred praying inter alia
for the following relief/s:

(i) For a direction upon the respondent State of Bihar to hold an enquiry and investigation on the mass irregularity committee by authorities in taking admission in M.B.B.S./B.D.S. Course in different Medical Colleges situated under the State of Bihar through the B.C.E.C.E./Respondent No. 4 2019 on the basis of Result off NEET 2019.



(ii) To upgrade the students in a high ranking Medical Colleges in accordance with their respective merit prepared and published by NEET 2019 and State rank considering all India Ranking vis-a-vis. the State wise ranking and the ranking given under the reservation policy.

(iii) For a direction upon the respondents to take admission in MBBS/BDS Courses 2019 strictly following the result of NEET Examination 2019 and not on the basis of MOP-u;p which has been utilized by the authority to adjust the less meritorious student to act them admitted in better colleges like PMCH & I.G.I.M.S. counseling being carried forwarded without fresh choices/options being made by the candidates for the second round of counseling as Mandates by MCI Notifications. The second issue is that in the mob up round following the second round of counseling Colleges who had been allotted Colleges and admitted into medical course 2019 were not allowed to participate in mob up round contrary to the MCI Notification.

(iv) For a direction to the State of Bihar to investigate the matter of Mass irregularities committed by the authorities either by the S.I.T. or any other Central agency to bring the truth and give the genuine Meritorious Student in their proper place in the admission M.B.B.S/B.D.S. and proper place in Medical Admission 2019.

(v) For a direction to the state to forthwith cure the illegality committed by authority in 2019 Medical Examination within the State of Bihar in the



Name of Mob up to give benefit of the Candidate in taking admissions in a Medical College like P.M.C.H. and I.G.I.M.S. who are much below in the Merit list. In All India Ranking and State Ranking ignoring the Candidates who are having higher Rank in All India Rank and State Rank.

(vi) For direction upon the respondents to adopt the Policy according to direction issued by Hon'ble Supreme Court of India and Hindu Rajasthan High Court and like the Policy adopted by State of Rajasthan to give chance of upgradation of Medical College considering their merit in All India Rank and State Rank etc. instead of taking admission of Poor Meritorious Candidates having much less Rank in All India seniority to the better Colleges.

Learned counsel for the petitioner seeks permission to withdraw the present application reserving liberty to seek appropriate remedies in accordance with law.

Accordingly, the application is dismissed as withdrawn with the aforesaid liberty.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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