

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23727 of 2019

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Dr. Md. Maqsood Ahamd Khan, S/o Mohammad Aziz Ahamd Khan, Resident of Village-Mohibalichak, P.O. and P.S.-Habibpur, District-Bhagalpur, Bihar-813113. At present working and posted as Parvachak (Reader) R.B.T.S. Government Homeopathic Medical College and Hospital, Ramdyalu Nagar, P.O. Ramna, P.S. Sadar, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Health Department, Govt. of Bihar, Patna.
2. The Special Secretary, Directorate Health Department, Patna.
3. Principal, Government Rai Bahadur Tunki Sah Homeopathic Medical College and Hospital, Muzaffarpur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali

For the Respondent/s : Mr. Ajay Behari Sinha (Ga8)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 29-11-2019

Heard Mr. Md. Shahnawaz Ali, the learned Advocate for the petitioner and Mr. Suryakant Kumar, learned A.C. to G.A. 8.

2. The petitioner has approached this Court being aggrieved by the format which was uploaded on the



website of the Homeopathic Medical College and Hospital which was required to be filled up by the desirous candidates for participating in the walk-in-interview.

3. The reason for challenging the aforesaid format was that it contained specific column for the certificate and marks of Intermediate (Science with Biology), which is not the basic requirement for any candidate to appear in the walk-in-interview. The qualification which is stated to be compulsory is the degree in BHMS in the concerned discipline, MD certificate from the State Board of Homeopathic Medicine and experience of teaching for five years.

4. The only reason for the petitioner to challenge the aforesaid Format which was required to be filled-up by each of the aspirants was that at the time when the petitioner had taken admission for BAMS course, there was no course of I.Sc. (Biology) and it was not compulsory for admission in BAMS course.

5. It appears that before the final date of interview, an objection was raised by the petitioner, which



was entertained and the petitioner was permitted to fill-up his form without the aforesaid requirement of enclosing the certificate of Intermediate (Science) for the stream of Biology.

6. The petitioner has also appeared in the interview.

7. In that view of the matter, no lis now remains alive for any decision by this Court.

8. The petition has become infructuous. It is disposed of as such.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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