

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2467 of 2019**

Dr. Arendra Kumar Patel, S/o. Shri Gorelal Patel, Aged About 32 Years, R/o. H. No. 228/2, Chandaury, Tehsil And Block Wadraf Nagar, District- Balrampur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Health And Family Welfare, Mahanadi Bhawan, New Mantralya, New Raipur, District- Raipur, Chhattisgarh.
2. Chhattisgarh Medical Council, Through Registrar, I Floor, Dr. Balmukund Sharma Clinic, Kankalipara, Near Nagar Nigam Ayurvedic Hospital, Raipur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Gary Mukhopadhyay, Advocate
For State/Respondent No.1	:	Mr. Rahul Jha, Govt. Advocate
For Respondent No.2	:	Mr. Vaibhav A. Goverdhan, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

19.07.2019

1. Learned counsel for the petitioner submits that the limited prayer in this petition is that the petitioner who had obtained a degree in MBBS & MD has obtained diploma in College of Physicians & Surgeons from Mumbai, which is recognized under the Chhattisgarh Ayurvigyan Parishad Adhiniyam 1987. He submits that the application of the petitioner is not being accepted to get him registered in the State Medical Register. He further submits that irrespective of the right of the petitioner, if the petitioner has preferred the application then it cannot be refused as degree is statutorily recognized and the respondent No.2 has to take decision on it.
2. Having heard the parties, without any observation on merit, the application of the petitioner if is being preferred for registration to the Chhattisgarh State Medical Council, the respondent No.2, there is no occasion to refuse such

application at the threshold irrespective of the fact that whether his entitlement for it or not. The petitioner has all the right to prefer an application, which the respondent No.2 is obliged to take and decide. It is therefore directed to the petitioner if make such application for registration within a period of 30 days, the same shall be accepted and decided according to the Act & Rules, which is applicable with respect to the petitioner, within a further period of three months from the date of receipt of such application. This Court has not expressed any opinion on the merit of the case.

3. With such observation, the petition stands disposed off.

Sd/-
Goutam Bhaduri
Judge

ashok