

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1458 of 2020

Sanjay Kumar Mishra S/o Late Umakant Mishra Resident of Type- 2/176, CR Colony, Dumra, P.S.- Shastri Nagar, Post- Ashiyana Nagar, Phulwari, Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna, Bihar.
2. The Principal Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patna.
3. Union of India, through the Secretary, Department of Health and Family Welfare, New Delhi.
4. Bihar Medical Services and Infrastructure Corporation Ltd., Patna (BMSICL) through its Managing Director, 4th Floor, BSBCCCL Building, Hospital Road, Shastri Nagar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Amit Pandey, Advocate Mr. Amit Kumar Mishra, Advocate
For the State	:	Mr. S.D. Yadav, AAG-9 Ms. Shama Sinha, A.C. to AAG-IX
For the U.O.I.	:	Mr. S.D. Sanjay, A.S.G.I. Ms. Kanak Verma, C.G.C.
For BMSICL	:	Mr. Lalit Kishore, Sr. Advocate Mr. Vikash Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-01-2020 The petition filed on 21.01.2020 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:

“For issuance of an order/direction or writ in the



nature of Mandamus directing the respondent State of Bihar and its officials to take all the necessary steps for expeditious construction and establishment of Government Medical College & Hospital in Purnea, Saran (Chhapra) and Samastipur under Centrally Sponsored Scheme which is underway since the year 2014, so that the Letter of Permission under Section 10(A) of Indian Medical Council Act, 1956 is granted by the MCI/Union of India for taking 100 admissions in MBBS course from the academic session 2020-21.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the respondents states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes



recourse to such remedies, as are otherwise available in law,
before the appropriate forum, the same shall be dealt with, in
accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

P.K.P./-Sushma

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