

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18748 of 2013

Dr. Abhishek Kumar S/O Arjun Kumar Resident Of Village- Ekawana Ghat,
Via- Barahara, P.O- Ekauwana, P.S- Barhara, District- Bhojpur Ara

... .. Petitioner/s

Versus

1. The State Of Bihar Department Of Health Medical Education And Family Welfare, Government Of Bihar, Patna.
2. The Secretary, Department Of Health, Medical Education And Family Welfare, Government Of Bihar, Patna.
3. The Director, Department Of Health, Medical Education And Family Welfare, Government Of Bihar, Patna.
4. The Medical Council Of India Through Secretary, Pocket- 14, Sector- 8, Dwarka Phase- 1, New Delhi-
5. The Vice Chancellor, Aryabhatta Knowledge University, Patna Bihar.
6. The Registrar, Aryabhatta, Knowledge University, Patna, Bihar
7. The Principal, Patna Medical College, Patna, Bihar.
8. The Head Of Department, Department Of Ophthalmology, Patna Medical College, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Jagjit Roshan, Adv.
For the BPSC	:	Mr.Sanjay Pandey, Adv.
For P.U.	:	Mr. Digvijay Singh, Adv.
		Mr. B.J. Jha, Adv.
For MCI	:	Mr. Kumar Brijnandan, Adv.

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

(Per: HONOURABLE THE CHIEF JUSTICE)

51 26-02-2020 This case was listed along with CWJC No.4759 of
2013 and Analogous cases today but is being disposed off
separately by the following order:

Petitioner has *inter alia* prayed for the following
relief/s:



“(i) For issuance of writ or writs in the nature of mandamus commanding the Respondents for inspection of Postgraduate Diploma in Ophthalmology (D.O.) course of Patna Medical College, Patna which is running since 1965, so, that the aforesaid course should be recognized and the career of the students pursuing the aforesaid course should be saved.

(ii) Issuance of further direction/s to the respondents to complete all the formalities so that the inspection of the Postgraduate Diploma in Ophthalmology (D.O.) Course of Patna Medical College, Patna should be done by Medical Council of India in present academic session so that the future of the students pursuing the aforesaid course should be saved.

(iii) Issuance of writ/s in the nature of declaration that the respondents do not have any authority to withhold the inspection of the postgraduate Diploma in Ophthalmology (D.O.) course of Patna Medical College when the fees for the said inspection was already paid in 2006 and without having any basis and in a whimsical and arbitrary manner the inspection of the Postgraduate Diploma in Ophthalmology (D.O.) course has been withheld.

(iv) Issuance of writ/s in the nature of declaration that the respondents do not have authority to withhold the inspection of one course when other courses have been inspected and recognized.”

Learned counsel for the petitioners states that during



the pendency of the present petition save and except for one course, all courses stand recognized.

Such statement is disputed by the respondent Medical Council of India.

Be that as it may, learned counsel for the petitioner states that the present petition has become infructuous and it be disposed of.

Accordingly, instant petition stands disposed off as having become infructuous.

(Sanjay Karol, CJ)

(S. Kumar, J)

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