

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4759 of 2013

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1. Dr. Madhukar and Anr S/O Dr. Ramesh Chandra Sharma R/O 301, Atul Vilas Kunj, Kidwaipuri, P.S.- Budha Colony, District- Patna
 2. Dr. Abhishek Kumar S/O Akhileshwar Shrivastava Permanent R/O Road No.-4, Indrapuri, Ratu Road, P.S.- Sukhdeo Nagar, P.O.- Hehal, Ranchi, Jharkhand, Presently Residing At Room No.- 59, 5th Floor, Above Labour Room, P.M.C.H., P.O.-Bankipur, P.S.- Pirbahore, Patna

... .. 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 Null Pocket-14, Sector-8, Dwarka Phase-1, New Delhi - 110075
5. The Vice Chancellor, Patna University, Patna, Bihar
6. The Registrar, Patna University, Patna, Bihar
7. The Principal, Patna Medical College, Patna, Bihar
8. The Head Of Department, D.T.C.D. Medicine Patna Medical College, Patna
9. The Aryabhatta Knowledge University Through Registrar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Jagjit Raushan, Adv.
For Patna University	:	Mr. Digvijay Singh, Ad.
For BPSC	:	Mr. Sanjay Pandey, Adv.
For MCI	:	Mr. Kumar Brajnandan, Adv.
For State	:	Mr. Kinkar Kumar, Adv.
For C. Govt.	:	Mrs. Poonam Kumari Singh, Adv.
For BMSCIL	:	Mr.Vikash Kumar, Adv.

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

(Per: HONOURABLE THE CHIEF JUSTICE)

58 26-02-2020 This case is taken up separately and being disposed
off by the following order:



Petitioners have *inter alia* prayed for the following relief/s:

(I) Issuance of writ or writs in the nature of mandamus commanding the respondents for inspection of Postgraduate Diploma in Tuberculosis & Chest Diseases (D.T.C.D.) course of Patna Medical College, Patna which is running since 1965, so that the aforesaid course should be saved.

(II) Issuance of further direction or directions to the respondents to complete all the formalities so that the inspection of the Postgraduate Diploma in Tuberculosis & Chest Diseases (D.T.C.D.) course of Patna Medical College, Patna should be done by Medical Council of India before April so that the future of the students of the aforesaid course should be saved.

(III) Issuance of writ or writs in the nature of declaration that the respondents do not have any authority to withhold the inspection of the Postgraduate Diploma in Tuberculosis & Chest Diseases (D.T.C.D.) 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 Tuberculosis & Chest Diseases (D.T.C.D.) course has been withheld.

(IV) Issuance of writ or writs 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.



(V) Grant any other relief or reliefs to which the petitioner may be found entitled to in the facts and circumstances of this case.”

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 petitioners 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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