

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17906 of 2015

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1. Dr. Anil Kumar Singh son of Shri Bhagwan Singh, Resident of Village-Kalyanpur, P.O.- Silari, P.S.- Karagahar, District- Rohtas
 2. Dr. Manish Kumar, Son of Shri Mahabir Prasad Singh, Resident of Malighat, P.S.- Mithanpura, P.O.- Ramana, District- Muzaffarpur
 3. Dr. Rafat Ara, Daughter of Md. Arif, Resident of Hussain Nursing Home, Khan Bahadur Road, P.S.- Jehanabad, P.O.- Jehanabad, District- Jehanabad
 4. Dr. Raju Kumar, Son of Shri Jai Prakash Rajak, Resident of Village-Kalarampur, P.O.- Kalarampur, District- Munger

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Health, Medical Education and Family Welfare, Government of
3. The Secretary, Department of Health, Medical Education and Family Welfare, Government of Bihar, Pat
4. The Additional Secretary, Department of Health, Medical Education and Family Welfare, Government of
5. The Director, Department of Health, Medical Education and Family Welfare, Government of Bihar, Patn
6. The Medical Council of India through Secretary, Pocket- 14, Sector- 8, Dwarka Phase- 1, New Delhi-
7. The Vice Chancellor, Aryabhatta Knowledge University, Patna, Bihar
8. The Registrar, Aryabhatta Knowledge University, Patna, Bihar
9. The Principal, Darbhanga Medical College, Darbhanga, Bihar
10. The Union of India through Secretary, Health, Ministry of Health and Family Welfare, Government of

... .. 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)

41 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:

Petitioners have *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 Paediatrics (D.C.H.), Postgraduate Diploma in Anaesthesia (D.A.), Postgraduate Diploma in Obstetrics and Gynecology (D.G.O.), Postgraduate Diploma in Ophthalmology (D.O.) courses of Darbhanga Medical College, and Hospital, Darbhanga which is running since decades (D.C.H. since 1965, D.A. since 1968, D.G.O. since 1962, D.O. since 1968), 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 Paediatrics (D.C.H.), Postgraduate Diploma in Anaesthesia (D.A.), Postgraduate Diploma in Obstetrics and Gynecology (D.G.O.), Postgraduate Diploma in Ophthalmology (D.O.) courses of Darbhanga Medical College, and Hospital, Darbhanga 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 Paediatrics (D.C.H.), Postgraduate Diploma in Anaesthesia (D.A.), Postgraduate Diploma in Obstetrics and Gynecology (D.G.O.), Postgraduate Diploma in Ophthalmology (D.O.) courses of Darbhanga Medical College, and Hospital, Darbhanga without having any basis and in a whimsical and arbitrary manner.

(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 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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