

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18270 of 2018

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Ashok Kumar S/o Bhogendra Ram, Resident of Village- Naurauli Sen, Post-
Bhinda, P.S.- Mushahari, District- Muzafferpur.

... .. Petitioner/s

Versus

1. Union Of India through Secretary, Ministry of Ayush, Ayush Bhawan, B Block, GOP Complex, New Delhi
2. Secretary, Ministry of Ayush, Ayush Bhawan, B Block, GPO Complex, New Delhi.
3. Under Secretary, Ministry of Ayush, Ayush Bhawan, B Block, GPO Complex, New Delhi.
4. The State of Bihar through Principal Secretary, Department of Health and Family Welfare, Bihar, Pat
5. Principal Secretary, Department of Health and Family Welfare Bihar, Patna.
6. The Bihar state Council of Ayurvedic and Unani Medicine, K- 52, Hanuman Nagar, P.O.- Lohiya Nagar,
7. The Registrar, the Bihar State Council of Ayurvedic and Unani Medicine, K- 52, Hanuman Nagar, P.O.-
8. The Central Council of Indian Medicine , 61-65, Institutional Area, Janakpuri, New Delhi through it

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar Thakur, Advocate
For the Respondent/s	:	Mr.Mujtabul Haque -GP 12
For U.O.I.		Mrs. Kanak Verma, CGC
For Resp. No.8		Mr. Janardan Prasad Singh, Sr. Advocate
		Mr. Dipak Kumar, Advocate

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-08-2022 Petitioner has prayed for the following relief(s):-

“(i) For quashing the order dated
07.06.2018 passed by the Under Secretary,
Government of India (Ministry of Ayush)



whereby and where-under the Under Secretary (respondent no. 3), Government of India has observed in paragraph no. 4(b) after considering the inquiry report that on account of participation of non-recognized qualification namely GAMS degree holder in the election in violation of the Central Council of Indian Medicine Act, 1970, the election to elect four members, Ayurveda in terms of section 3 of Central Council of Indian Medicine has been cancelled.

The petitioner further prays for issuance a writ in the nature of Mandamus:

(ii) For direction to the respondent concerned to treat the GAMS degree as valid degree on the ground that the issue with regard to GAMS degree to be valid degree has already been settled by the Hon'ble Apex Court in Bihar State Council of Ayurvedic Vs. The State of Bihar and Others reported in (2007) 12 SCC 728 and restrained the respondent authority to pass any order contrary to the judgment and order of the Hon'ble Apex Court.”

Learned counsel for the petitioner, under instructions, states that, in view of the intervening developments, the petition may be permitted to be withdrawn.

Prayer allowed.

Petition is disposed of as withdrawn.



Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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