

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1062 of 2022

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Sunil Jha Son of Sri Mahesh Jha, resident of Ward No. 8, Village - Kauria,
Post - Lalpur, Police Station- Runnisaidpur, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Health, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Health, Government of Bihar, Patna.
3. The Secretary, Nursing Council of India, New Delhi.
4. The Director in Chief, Health Services, Bihar, Patna.
5. The Director, Bihar Nursing Council, Patna.
6. Smt. Nirjala Kumari, Registrar, Bihar Nursing Council, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Chandan Kumar, Advocate
For the Respondent/s	:	Mr. Ajay Behari Sinha, GA-8
		Dr. Anand Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

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Date : 28-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“(I) For issuance of writ in the nature of mandamus directing the respondents to take



appropriate action against the Respondent No. 6 namely Smt. Nirjala Kumari, whose B.Sc Nursing Degree from distance education is not valid and the same is issued by a non-recognised institution.

(II) For issuance of writ in the nature of mandamus refraining the Respondents No. 6 to perform the duty of Registrar, Bihar Nursing Council, Patna as her initial appointment is illegal because of her credential.

(III) For directing the respondents particularly Respondent No. 5 to restore the previous position/function of registrar, Bihar Nursing Council, Patna.

(IV) For any other relief/reliefs, for which the petitioner is entitled for and/or in the Public Interest.”

After the matter was heard for some time, finding the Bench not to be agreeable with the submissions made by learned senior counsel for the petitioner, learned senior counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to file a proper petition, with better particulars, pursuing the personal interest, in accordance with law.

Permission granted with liberty as prayed for.

Liberty also reserved to the petitioner to make a mention for listing of the petition on priority basis. As and when any such mention is made, Registry shall immediately



take steps for listing the petition at the earliest before the appropriate Court.

Instant petition stands disposed of as withdrawn in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	29.01.2022
Transmission Date	

