

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8237 of 2022

1. Dr. Nand Kishore Paswan Son of Siddheshwar Paswan Doctors Quarter No. A/4, Anugrah Narayan Medical College, Sherghati Road, P.S. Magadh Medical College, District- Gaya.
2. Dr. Bijay Krishna Prasad Son of Late Madan Mohan Prasad Resident of Shri Krishna Nursing Home and Maternity Centre, Ray Sheetal Prasad Road, Near G.B.M. College, P.S.- Civil Lines, District- Gaya.
3. Kishori Mohan Prasad Son of Awadhesh Prasad Singh 1-A, Moti Mani Apartment, Road No.06, White House Compound, P.S.- Civil Lines, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary, Health Department, Government of Bihar, Patna.
3. The Joint Secretary, Health Department, Government of Bihar, Patna.
4. The Director in Chief (Disease Control, Public Health, Para Medicals), Health Department, Government of Bihar, Patna.
5. The Divisional Commissioner, Magadh Division, Gaya.
6. The District Magistrate, Gaya.
7. The Chairman Enquiry Committee-cum-Municipal Commissioner, Gaya Municipal Corporation, Gaya.
8. The Regional Deputy Director, Health Services, Magadh Division, Gaya.
9. The Anugrah Narayan Magadh Medical College, Gaya through its Superintendent, Gaya.
10. The Principal, Anugrah Narayan Magadh Medical College, Gaya.
11. The Superintendent, Anugrah Narayan Magadh Medical College, Gaya.
12. Dr. Vinod Shankar Singh, Member Enquiry Committee-cum-Head of the Biochemistry Department, Anugrah Narayan Magadh Medical College, Gaya.
13. Dr. Rajendra Prasad, Member Enquiry Committee-cum-Head of the Anatomy Department, Anugrah Narayan Magadh Medical College, Gaya.
14. Dr. Prem Prakash Prabhakar, Member Enquiry Committee-cum-Associate Professor, Skin and VD Department, Anugrah Narayan Magadh Medical College, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mayank Rukhaiyar, Adv.
For the Respondent/s : Mr. Narendra Kumar, AC to AAG-9



**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 18-08-2022 The writ petition has challenged the show cause notice based on a preliminary enquiry report. Learned counsel submits that the preliminary enquiry shall cause prejudice and the petitioner would not be giving any opportunity of hearing during the preliminary enquiry.

In the opinion of this court, at this stage, the writ petition is wholly premature as the petitioner would be free to take up all the submissions against the preliminary enquiry and defend himself in the regular enquiry.

Accordingly, this writ petition is dismissed as premature.

(Sanjeev Prakash Sharma, J)

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