

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9366 of 2022

Dr. Avijeet Gautam Ayurvedic Research Institute (DAGARI) at Bhaganbigha, Biharsharif, District - Nalanda (Bihar) run and established by Right Path Foundation, a registered trust through its Chairman Dr. Avijeet Kumar son of Late Devendra Prasad Singh, Resident of House No. 102, Draupadi Kunj Apartment, New Patliputra Colony, P.S.- Patliputra Colony, District - Patna (Bihar).

... .. Petitioner/s

Versus

1. Union of India Ministry of Ayurveda, Yoga, Unani, Sidda and Homeopathy (Ayush) Ayush Bhawan, B-block, G.P.O. Complex, INA, New Delhi-110023 represented by its Secretary.
2. National Commission for Indian System of Medicine, Ministry of Ayush, Govt. of India, 61-65, Institutional Area, Janakpuri, B-Block, New Delhi - 110058 through its Secretary.
3. President, Medical Assessment and Rating Board for Indian System of Medicine, National Commission for Indian System of Medicine, Ministry of Ayush, Govt. of India, 61-65, Institutional Area, Janakpuri, B - Block, New Delhi - 110058.
4. State of Bihar, Department of Health and Family Welfare, Government of Bihar, Patna through its Secretary.
5. Additional Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
6. Kameswar Singh Sanskrit Darbhanga University, Kameswar Nagar, Darbhanga (Bihar) through its Registrar.
7. Registrar, Kameswar Singh Sanskrit Darbhanga University, Kameswar Nagar, Darbhanga (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr.Raju Giri, Adv.
For the UOI	:	Mr.Additional Solicitor General
For the University	:	Mr. Tuhin Shankar, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

3 22-12-2022 Learned counsel for the petitioner has informed that after filing of this writ petition on 2nd July, 2022, the inspection has already been conducted on 29th and 30th of September, 2022.



In the writ petition this Court finds that the prayer made is to command the respondents to grant approval for establishing new Ayurvedic Medical College.

In the opinion of this Court, approval to a new Ayurvedic Medical College can be only after satisfying that the requisite infrastructure is available with the college and for that purpose inspection is required to be done. If deficiency is found the same has to be removed. The process has to be completed in normal course. The writ petition appears to have been filed prematurely at that time even the inspection has not done.

The writ petition is dismissed as premature.

(Sanjeev Prakash Sharma, J)

Shamshad/-
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