

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.19944 of 2019**

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Dr. Saket Kumar son of Pawitar Rai resident of Village- Chakmehsi Ward No. 01, P.S. Chakmehsi, District- Samastipur, Bihar- 848302.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Bihar, Patna.
2. The Director in Chief, Health Department, Bihar, Patna.
3. The District Magistrate, Darbhanga.
4. The Civil Surgeon, Darbhanga.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar

For the Respondent/s : Mr.Binod Kumar Yadav ( Sc18 )

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE PARTHA SARTHY**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 12-12-2022**

Heard learned counsel for the parties.

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

“(i) For setting aside an office

order dated 13-10-2018 vide memo No. 1976

issued by the Civil Surgeon, Darbhanga



(Respondent no. 4) by which the application of the petitioner for registration of his Ultrasound centre has been rejected on the ground that he is simply a M.B.B.S. degree holder and has experience of a local hospital only.

(ii) For a further direction to the Respondents to allow this petitioner for running his ultrasound centre during pendency of instant writ application

(iii) For any other relief or reliefs, the petitioner is entitled for.”

We find that petitioner has an alternate equally efficacious remedy under the provisions of Preconception and Prenatal Diagnostic Technique (Prohibition of Sex selection) Act, 1994.

As such, petition is disposed of, reserving liberty, as prayed for, to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

The period for which the petitioner has been pursuing the present application, shall be excluded for the purposes of computing period of limitation.



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

**(Sanjay Karol, CJ)**

**( Partha Sarthy, J)**

Spd/-

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