

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1459 of 2019

In

Civil Writ Jurisdiction Case No.7325 of 2019

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All India Institute of Medical Sciences, Patna through the Director, P.S.-
Phulwarisharif, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department Govt. of Bihar, Patna.
2. The Principal Secretary, Health Department, Govt. of Bihar, Patna.
3. The Director, Medical Education, Health Department Govt. of Bihar, Patna.
4. The Chairman, Bihar Combined Entrance Competitive Examination Board, Patna.
5. The Controller of Examination, Bihar Combined Entrance Competitive Examination Board, Patna.
6. Aishwarya Singh, daughter of Pawan Kumar Singh, resident of Ward No. 1, Gautam Nagar, P.S. Saharsa, District- Saharsa.
7. Sanjeet Kumar Mishra, Son of Vijay Kant Mishra, Resident of C-202, Pushpanjali Enclave, North Mandiri, P.S. Buddha Colony, District- Patna.
8. Sachin Sinha, Son of Dr. Atul Kumar Sinha, resident of Bandhu Kuti Road No. 8A, Rajendra Nagar, Patna.
9. Chandan Kumar Pathak, Son of Amindra Pathak, resident of Village, P.O. and P.S. Benipatti, District- Madhubani.
10. Vijaya Lakshmi Pandey, Daughter of Santosh Pandey, resident of Santosh Bhawan, Saidpur, P.S. Kadamkuan, District- Patna.
11. Dr. Sushil Kumar, Son of Shri Bindeshwari Rajak, resident of Village and Post Office- Shahpur, Gwalpara, District- Madhepura, PIN- 852115.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Binay Kumar Pandey, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 04-07-2022

Heard the learned Advocate for the appellant and the

State.



Mr. Binay Kumar Pandey, learned Advocate for the appellant/AIIMS submits that with the clarification issued by the Government of Bihar, amending Clause 6.1(1) of the prospectus of the Post-Graduate Medical Counselling 2019, this appeal has become infructuous as the counselling has already been held.

However, the learned counsel for the appellant/AIIMS submits that the very clarification by way of amendment in Clause 6.1(1) of the prospectus of the PG Medical Counselling, 2019 puts the students of AIIMS in a disadvantageous position and therefore the appellant seeks the leave to withdraw this appeal in order to, if so advised, challenge such decision of the Government to exclude the participation of the students who have passed out from AIIMS on the sole ground that AIIMS is not maintained and controlled by the State of Bihar.

The petition is dismissed as withdrawn with the liberty as aforesaid.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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