

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1924 of 2020

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Dr. Basista Singh @ Dr. Basista Kumar Singh @ Bashishth Kumar Singh Son
of Jhansi Singh @ Jhansi Resident of Village- Atwa, P.O.- Bilaspur, P.S.-
Mairwa, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The District Magistrate, Siwan.
3. The Superintendent of Police, Siwan.
4. The Sub Divisional Officer, Siwan.
5. The Sub Divisional Police Officer, Siwan.
6. The Civil Surgeon, Siwan.
7. The In-charge Primary Health Centre, Referral Hospital, Mairwa.
8. The Station Head Officer, Mairwa Police Station, Mairwa, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Respondent/s : Mr.Md. N.H. Khan (SC1)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-10-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

- (i) To issue a writ in the nature of certiorari to quash the order dated 05.11.19 (vide Annexure-3) passed in G.R. No.2621/19 arising out of Mairwa P.S. Case No.169/19, whereby and whereunder the petitioner seeking to open the locked and sealed clinic of p, situated at Srinagar, Siwan has been rejected.
- (ii) To issue a writ in the nature of mandamus to direct the respondent to open the lock and seal and release the Clinic of petitioner, which was locked and sealed in connection with said FIR in order to facilitate the smooth and normal legal medical practice of petitioner.
- (iii) To hold and declare that in terms of the available material on record; Report of District Magistrate the Clinic/operation Theater of petitioner is equipped and updated as per medical norms; Accordingly the said clinic/operation theater can't be sealed/locked without asking show-cause; and it is done, that violation of Article- 14 of Constitution

of India that is violation of principle of natural justice.
(iv) To pass an appropriate order to protect the status of medical practice of petitioner going on in accordance of medical rules and regulation in terms of Art.-21 of Constitution of India.
(v) To grant any other reliefs to the petitioner for which petitioner is entitled to have.”

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to approach **Respondent No. 2, namely The District Magistrate, Siwan** for redressal of the grievance(s).

Permission granted.

It is made clear that we have not expressed any opinion on merits. All issues are left open.

The instant petition stands disposed of as withdrawn with the liberty aforesaid.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	