

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16885 of 2022

Dr. Swati Bulbul Daughter of Binay Kumar Choudhary Resident of Mohalla
Kushwaha Colony, Rajguru Tarapur, P.S. Tarapur, District Munger

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreary, Department of Health, Bihar, Patna.
2. Director-in-Chief, Health Service (Personnel and Administrative), Bihar, Patna,
3. The Chairman, Bihar Combined Entrance Competitive Examination (B.C.E.C.E.) Board, Patna.
4. The Principal of Nalanda Medical College and Hospital, Patna.
5. The Principal, Darbhanga Medical College and Hospital, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms.Pravina Kumari
For the State	:	Mr. S. D. Yadav, AAG 9
		Mr. Anil Kumar Verma, AC to AAG 9
For the BCECEB	:	Mr. Prasoon Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 27-04-2023 Heard learned Counsel for the parties concerned.

This writ application has been filed for a direction to the respondent authorities to return back the entire original certificates/testimonials of educational qualification of the petitioner, who has completed her post graduate degree course in Gynecology from Darbhanga Medical College and Hospital, Darbhanga.

Initially, the petitioner was allotted post graduate degree course in General Surgery in Nalanda Medical College and Hospital, Patna, where she had submitted all the original certificates/testimonials of educational qualification, but



subsequently the petitioner was allotted the post graduate degree course in Gynecology, under the State quota, in Darbhanga Medical College and Hospital, Darbhanga, from where she completed her post graduate degree course in Gynecology in the sessions 2018-21.

The grievance of the petitioner is that her original certificates/testimonials of educational qualification is not being returned either by the Bihar Combined Entrance Competitive Examination Board, the Nalanda Medical College and Hospital, Patna or the Darbhanga Medical College and Hospital, Darbhanga.

Learned Counsel for the Bihar Combined Entrance Competitive Examination Board, relying on paragraph 13 of the counter affidavit filed on behalf of the respondent no. 3, submits that UGMAC/PGMAC examinations are conducted by the National Testing Agency (NTA) every year and last date for admission is fixed by the Medical Council of India/Medical Counselling Committee. The credentials of the petitioner and other candidates including their original educational certificates, sent by the Nalanda Medical College and Hospital, Patna, by its letter, dated 14.05.2018, has been sent to the Principal, Darbhanga Medical College and Hospital, Darbhanga by the



Bihar Combined Entrance Competitive Examination Board by letter no. 786/2018, dated 17.05.2018 issued under the signature of the OSD, Bihar Combined Entrance Competitive Examination Board, which has been received by the staff of Darbhanga Medical College and Hospital, Darbhanga, namely, Sri Kamal, on 18.05.2018. A copy of letter no. 786/2018, dated 17.05.2018 has been annexed as Annexure R3/C to the counter affidavit.

Despite valid service of notice upon respondent no. 5, i.e. the Principal, Darbhanga Medical College and Hospital, Darbhanga, no one appears on behalf of the Darbhanga Medical College and Hospital, Darbhanga.

Having heard learned Counsel for the parties concerned and after going through the counter affidavit filed on behalf of the respondent no. 3-Bihar Combined Entrance Competitive Examination Board, it appears that the original certificates/testimonials of educational qualification of the petitioner has been handed over by the Bihar Combined Entrance Competitive Examination Board to the Darbhanga Medical College and Hospital, Darbhanga, from where the petitioner has completed the post graduate degree course in Gynecology.



Accordingly, the petitioner is directed to approach the respondent no. 5, the Principal, Darbhanga Medical College and Hospital, Darbhanga, within a period of one week from today and the respondent no. 5 is further directed to return the original certificates/testimonials of educational qualification of the petitioner within a period of one week from the date the petitioner approaches the respondent no. 5.

Let a copy of this order be communicated to the respondent no. 5, the Principal, Darbhanga Medical College and Hospital, Darbhanga, through fax/email, forthwith.

With the aforesaid observation and direction, this writ application is disposed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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