

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16866 of 2022

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Tathagat Educational Mission, Chintmanpur, Daraundha, Siwan- 841233 through its Director Kaushal Kumar Giri, male, aged about 52 years, S/o Harish Chandra Giri, R/o 301 Puspa Mansion, Vivekanand Park Road, Alpna Market, Patliputra, Bihar, Patna- 800013.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Health Department, Bihar, Patna.
3. The Under Secretary, Health Department, Bihar, Patna.
4. The OSD, Health Department, Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Suman Kumar, Advocate
For the Respondent/s : Mr. Ravi Kumar, AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and the State.

The petitioner in the present case is seeking a writ in the nature of Writ of Mandamus commanding the respondents to grant 'No Objection Certificate' to the petitioner institute so that they can conduct the courses of Certificate, Diploma, Bachelor, P.G. Diploma and Masters in Para-Medical. It is submitted that 'No Objection Certificate' from the Health Department is a pre-requisite for getting affiliation from the concerned University for Degree course in Para-Medical Studies.

This Court has been further informed that as back as on 14.06.2021, the Department of Health constituted an Inspection Team for inspection of the institute. In fact,



inspection has also been conducted but thereafter no decision has been taken.

In paragraph '8' of the counter affidavit filed on behalf of respondent nos. 2, 3 and 4, it is stated that the Inspection Team has submitted its report to the Department which is being duly examined and necessary decision will be taken as soon as possible in this matter in accordance with law. This counter affidavit has been sworn on 12.01.2023 but till date, no decision has been taken by the Department.

In the nature of the grievance of the petitioner and the stand taken on behalf of the Department, this Court directs the respondent nos. 1 to 4 to take appropriate decision in the matter in accordance with law within a period of two months from the date of receipt/communication of a copy of this order. Such decision shall be communicated immediately thereafter.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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