

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18278 of 2021

Dr Anil Kumar Son of Late Krishan Ballabh Senior Resident, Neuro Surgery
Department, Patna Medical College and Hospital, Patna, Resident of Mohalla-
Vijay Nagar, P.S.- Patranagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Additional Chief Secretary, Department of Health, Government of Bihar, Patna.
4. The Under Secretary, Department of Health, Government of Bihar, Patna.
5. The Principal, Patna Medical College and Hospital, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Adv.

For the Respondent/s : Mr.Ramadhar Singh (Gp25)

Mr. Harendra Kumar, AC to GP-25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2024 The present writ petition has been filed seeking the
following reliefs:-

“1(i). For direction to the respondents to consider
the case of the petitioner for promotion on the
post of Assistant Professor Super Speciality
Neuro Surgery department, Patna Medical
College and Hospital, Patna.

(ii). For direction to the Respondents to give
promotion on the post of Assistant Professor as
the petitioner fulfills the academic qualification



as per notification of medical council of India minimum qualification for teachers in medical institutions (Amendment) regulation 2019 (hereinafter referred as M.C.I regulation) and as has been granted to similarly situated doctors vide notification contained in order no. 41(17) dated 15.01.2013 by the respondent.

(iii). For direction to the respondent authorities not to relieve / disturb the petitioner from the post of senior resident, department of Neuro Surgery (super specialty) in Patna medical college and hospital in view of the recommendation made by head of the department, Neuro Surgery, Patna Medical College and Hospital Patna as well as till final decision on the representation of the petitioner by the authority concern.”

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Respondent No. 2, i.e. the Principal Secretary, Department of Health, Government of Bihar, Patna. Liberty, so sought, is granted.

3. It is needless to state that in case the petitioner approaches the Respondent No. 2, by filing appropriate representation, within a period of two weeks from today, the same shall be disposed off by a reasoned and a speaking order, in accordance



with law, within a period of six weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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