

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12278 of 2024**

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1. Pramod Kumar son of Upendra Ray, Resident of Village- Sanjay Nagar Road no- 5, Post- GPO at Patna, Police Station- Jakkanpur, District- Patna, Pin- 800001.
  2. Aaditya Kumar, son of Satendra Kumar, Resident of Village- Morsand, Post Office- Morsand, Police Station- Pusa, District- Samastipur, Pin- 848115.
  3. Vishal Aman, son of Binod Kumar Choudhary, Resident of Village- Dobhra par near Power Station, Post- Nawada, Police Station- Nawada, District- Nawada, Pin- 805110.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Department of Health and Family Welfare, Government of Bihar, Vikas Bhawan, New Secretariat, Patna, Pin- 800015.
2. The Additional Chief Secretary, Department of Health and Family Welfare, Government of Bihar, Vikash Bhawan, New Secretariat, Patna, Pin- 800015.
3. The Director, Department of Health and Family Welfare, Government of Bihar, Vikash Bhawan, New Secretariat, Patna, Pin- 800015.
4. The Registrar, Magadh University, Bodh Gaya, Bihar Pin Code- 824234.
5. The Secretary, Dental Council of India, National Dental Commission Building, Plot no- 14 Sector- 9, R.K. Puram, New Delhi, Pin- 110022.
6. Union of India through its Secretary to the Government of India, Ministry of Health and Family Welfare, Nirman Bhawan, Maulana Azad Road, New Delhi, Delhi- 110011.
7. The Chairman, Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Hariom Nagar, New Bailey Road, Patna, Bihar Pin- 801503.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Bijay Bhushan Prasad, Adv.    |
|                      | : | Mr. Ashok Kumar, Adv.             |
| For the State        | : | Mr. P.K. Shahi, AG.               |
|                      | : | Ms. Anukriti Jaipuriyar, Adv.     |
| For the U.O.I.       | : | Mr. Brajesh Kr. Pandey, Adv.      |
| For the D.C.I.       | : | Mr. S.D. Sanjay, Sr. Adv.         |
|                      | : | Mr. Mohit Agrawal, Adv.           |
| For the M.U.         | : | Mr. Sriram Kirshna, Adv.          |
|                      | : | Mr. Amarjeet Kumar, Adv.          |
|                      | : | Mr. Prabhat Kumar Singh, Adv.     |
|                      | : | Mr. Shashank Shekhar Kunwar, Adv. |
|                      | : | Mr. Rashmi Ranjan, Adv.           |

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**



9      18-03-2025                      Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the respondents.

2. Learned counsel for the petitioners submits that the grievance of the petitioner no.1 is redressed, therefore, he will not press with writ petition with regard to petitioner no.1. He submits that he will press this writ petition only with regard to petitioner nos. 2 and 3.

3. The present writ application has been filed for following reliefs:

*“For issuance of the writ in the nature of mandamus or any appropriate writ(s), order(s), direction(s) to the respondents specially respondents no-2 to make arrangements for shifting of the petitioners who are students and interns of Dr. B. R. Ambedkar Institute of dental science and hospital (hereinafter referred as the Institute) to any other state recognized dental college in light of the letter no-V.12017/12/2022-DE dated 07.03.2024 of the Ministry of Health and family welfare Government of India and also letter dated 19.03.2024, 29.05.2024 and 26.06.2024.*

*And further for issuance of any appropriate writ(s), order(s), direction(s) for which the petitioners are entitled under the facts and circumstances of this case.”*

4. The brief fact of the present case is that the petitioner nos. 2 and 3 appeared in NEET Examination held in year 2020 and 2023 respectively and as per All India Rank they got admission in Dr. B.R. Ambedkar Institute of Dental Science



and Hospital, Patna in Sessions 2020-2025 and 2023-2028 respectively. Petitioners got admitted and were pursuing their course, suddenly it came to the knowledge of the petitioners that the B.R. Ambedkar Institute of Dental Sciences and Hospital, Patna, had been unrecognized by the Dental Council of India. The petitioner no. 2 is fourth year student and petitioner no. 3 is first year student.

5. Learned counsel for the petitioners submits that the D.C.I. has withdrawn the recognition of Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Patna, and the Dental Commission of India vide its letter dated 26.06.2024 requested the State Government to take action to shift the students studying in the institution to another Dental College within the State of Bihar. However, till date the State Government has not taken any necessary step in pursuance of the same.

6. Learned counsel for the Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Patna, submits that Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Patna, has already filed a SLP (C) No. 30171 of 2024 before the Hon'ble Apex Court, for de-recognition of the said institute by the D.C.I. which is still pending.

7. That the submissions made by the respondents in



the C.W.J.C. No. 12083 of 2024 is considered herein further at bar, the State Government herein also has no objection if the petitioners are shifted to any Government Dental College, specifically to the Panta Dental College, Patna.

8. Having considered the submissions made by the Parties and on perusal of records, this Court deems it fit and proper to directs the State Government to take necessary steps to transfer petitioner no.2 to fourth year and petitioner no. 3 to first year to Patna Dental College, Patna, within a period of four weeks from the date of receipt/production of a copy of this order.

9. Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Patna, is hereby directed to issue the transfer certificates and necessary documents of the petitioners within ten days from the date of receipt/production of a copy of this order. The Principal of Patna Dental College, Patna, is also directed to accommodate the petitioners in their respective semesters/years and permit them to attend classes at Patna Dental College, Patna. The Magadh University is directed to issue transfer certificates and necessary documents of the petitioners to the concerned University and, further the concerned University is instructed to conduct special



examinations for the petitioners in their respective semesters/years, if necessary.

10. It is made clear that the aforesaid decision is subject to the final outcome of SLP (C) No. 3071 of 2024, wherein if the dispute in question is settled in favour of Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Patna, the petitioners who have been transferred to Patna Dental College, Patna, pursuant to this order, shall be transferred back to their original institution, i.e., Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Patna.

11. With the aforesaid direction, the present writ application stands disposed of.

**(Anjani Kumar Sharan, J)**

anand/-

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