

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13143 of 2024

Deeksha Kumari D/o- Amardeep Resident of Line Bazar Purnea, Opposite-
Dak Bunglow, P.O- Purnea, P.S- K. Hat, District- Purnea, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar.
2. The Additional Chief Secretary, Department of Health Government of Bihar, Patna.
3. The Union of India, through the Secretary, Ministry of Health and Family Welfare, Government of India.
4. The Secretary, Ministry of Health and Family Welfare, Government of India.
5. The Dental Council of India, New Delhi through its President.
6. The President, Dental Council of India, New Delhi.
7. Magadh University, through its Registrar, Bodh Gaya, Gaya.
8. The Registrar, Magadh University, Bodh Gaya, Gaya.
9. Dr. B.R. Ambedkar Institute of Dental Sciences and Hospital, Hari Om Nagar, New Bailey Road, Patna through its Principal.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amardeep, Adv.
	:	Mr. Umesh Prasad, Adv.
	:	Mr. Mrityunjay Kumar, Adv.
For the State	:	Ms. Anukriti Jaipuryar, Sr. Adv.
For the M.U.	:	Mr. Om Prakash, Adv.
For the D.C.I.	:	Mr. S.D. Sanjay, Sr. Adv.
	:	Mr. Mohit Agrawal, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

12 18-03-2025 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the respondents.

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

*“(i) To issue a writ/order/ direction in the nature
of Mandamus for direction to the Respondent
Authorities to shift the petitioner forthwith from
Dr. BR Ambedkar Institute of Dental Sciences*



and Hospital, Patna to any recognized Government/private institute having valid affiliation and recognition from Dental Council of India in the light of Letter dt.26.06.2024 issued under the signature of Deputy Secretary, Dental Council of India.

ii) To issue a writ/order/ direction in the nature of Mandamus for direction to the respondent authorities to conduct special examination for the petitioner for her coming examination so that the petitioner do not suffer year loss academically.

iii) To issue a writ/order/ direction in the nature of Mandamus for direction to the respondent authorities to pay monetary compensation to the petitioner for the mental and physical agony caused due to irresponsible and arbitrary authorities. conduct of the respondent

iv) To issue a writ/order/ direction in the nature of Mandamus for direction to the respondent authorities to swiftly /securely shift the original certificates and attendance records of all the petitioner to ensure that the same are not destroyed/lost in the shifting of the petitioner to another State recognized Government/Private Dental College.

v) To pass interim/ex-parte interim order directing the respondent authorities to take special examination for 2nd year so that the petitioner do not suffer academic year loss.

vi) To any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.

3. The brief fact of the present case is that the petitioner appeared in the National eligibility cum entrance test (NEET) in the year 2022 conducted by National Testing Agency. On the basis of her marks and ranks petitioner was called for



counselling and she also participated in the counselling process conducted by the Bihar combined entrance competitive examination Board, Patna. Accordingly, as per the marks and rank of the petitioner she was allotted BDS course at the Dr. BR Ambedkar Institute of Dental Sciences and Hospital, Patna by the Bihar Combined Entrance Competitive Examination Board. Petitioners got admitted and were pursuing their course, suddenly it came to the knowledge of the petitioner that the B.R. Ambedkar Institute of Dental Sciences and Hospital, Patna, had been unrecognized by the Dental Council of India. The petitioner is the student of 2nd year of Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Patna.

4. 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.

5. 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 petitioner is shifted to any Government Dental College,



specifically to the Panta Dental College, Patna.

6. Having considered the submissions made by the Parties and on perusal of records, this Court deems it fit and proper to direct the State Government to take necessary steps to transfer petitioner to Patna Dental College, Patna, within a period of four weeks from the date of receipt/production of a copy of this order.

7. Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Patna, is hereby directed to issue the transfer certificate and necessary documents of the petitioner 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 petitioner in her respective semesters/years and permit her to attend classes at Patna Dental College, Patna. The Magadh University is directed to issue transfer certificate and necessary documents of the petitioner to the concerned University and, further the concerned University is instructed to conduct special examinations for the petitioner in her respective semesters/years, if necessary.

8. 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 petitioner who has been transferred to Patna Dental College, Patna, pursuant to this order, shall be transferred back to her original institution, i.e., Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Patna.

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

(Anjani Kumar Sharan, J)

anand/-

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