

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11630 of 2025

Prabhat Para Medical and Nursing College Gokul Krishna Ashram Road, Subash Nagar, Purnia- 854301 governed under Harivansh Shushila Ravikant Sulekha Educational Trust Lakshmipur Chandi Asthan, Ward No.- 03, District- Madhepura, through its President Trustee namely Vijay Prabhat, aged about 33 years (Male), S/o Ravikant Verma resident of- Lakshmipur Chandi Asthan, Ward No.- 03, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Govt. of Bihar, New Secretariat, Patna.
2. The Additional Chief Secretary, Health Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director-in-Chief, Health Services, Govt. of Bihar, Patna.
4. The State Health Society, Bihar, Patna.
5. The Vice Chancellor, Bihar University of Health Sciences, Mithapur, Patna.
6. The Registrar, Bihar University of Health Sciences, Mithapur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Adv.
For the Respondent/s	:	Mrs. Archana Meenakshee, GP-6
		Mr. Rana Veer Prawar, AC to GP-6
For Resp. No. 5-6	:	Mr. Brajesh Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 08-01-2026

Heard the parties.

2. The petitioner's college through its President trustee has approached this Court seeking a direction upon the respondent concerned to constitute a committee and conduct the inspection of Prabhat Para Medical and Nursing College governed under "Harivansh Shushila Ravikant Sulekha Educational Trust", in view of Rule 6 of Para Medical/Para Dental Educational (Permission for Establishment of Institution) Rule, 2005 (in short, "Rule, 2005") and grant recognition after



completion of necessary requirement, in view of the Notification of the Government of Bihar, Health Department, bearing No. 1029 (1) dated 31.12.2015.

3. Mr. Shashi Bhushan Singh, learned Advocate for the petitioner submitted that in terms with the Rules, 2005, the petitioner's college has submitted his application in duly prescribed format vide Letter No. PPMNS – 02/23 dated 31.10.2023, with requisite fee of Rs. 50,000/- before the Secretary, Health Department, Government of Bihar, Patna to provide permission to establish new para medical college. Referring to Rule 6 of Rules, 2005, it is submitted that on receipt of the application form, the concerned respondent was obliged to complete the inspection within a period of three months. However, in the case at hand, more than three years have been lapsed and till date, neither the committee has been constituted nor inspection has been done and the fate of the college has been kept in lurch.

4. A counter affidavit has been filed on behalf of the respondent no. 1. It has been informed to this Court that for ensuring quality education in Private Para Medical Institutions/Para Dental Institutions in the State of Bihar, recently, it has been decided by the Health Department, Government of Bihar that the assessment and survey of quality teaching/training arrangement of the students of 86 Private Para



Medical Institutions/Para Dental Institutions may be done through the Quality Council of India.

5. The Secretary, Health Department, Government of Bihar, Patna vide Departmental Letter No. 950 (1) dated 15.09.2025, has requested the Accreditation Officer, Quality Council of India to assess all 86 Private Para Medical Institutions/Para Dental Institutions. It has finally been informed to this Court that on account of the aforesaid ongoing quality assessment, the Health Department, Government of Bihar has decided to keep in abeyance, issuance of any NOC, to the Private Para Medical Institutions/Para Dental Institutions in Bihar.

6. This Court is apprised at the bar that the authorities of the State in the Department of Health in identical matters have informed this Court that the work of the assessment and survey of quality teaching and training arrangement has already been completed by the Quality Council of India and a report has already been submitted.

7. In view of the aforesaid fact, the plea of the concerned respondent that the issuance of any NOC to the Private Para Medical Institutions/Para Dental Institutions in Bihar is kept in abeyance is not acceptable. Moreover, the facts of the case at hand is admitted to the extent that the petitioner's college has filed its application on 31.10.2023 itself, and at that



point of time, there was no assessment and survey of quality teaching and training was going on by the Quality Council of India and thus, the concerned respondent authorities was statutorily obliged to make necessary inspection of the College concerned, preferably within a period of three months, as mandated under Rule 6 of Rules, 2005, but the same has not been done, for the reasons best known to the authorities.

8. For the laches on the part of the respondent authorities, the petitioner cannot be compelled to suffer. Hence, in view of the aforesaid fact, this Court directs the respondent Additional Chief Secretary, Health Department, Government of Bihar, Patna to consider the application of the petitioner dated 31.10.2023 and take appropriate action, in terms with Rules, 2005. It is expected that the final decision must be taken preferably within a period of twelve weeks, from the date of receipt/production of a copy of this order.

9. Accordingly, the writ petition stands disposed off.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.01.2026
Transmission Date	NA

