

GAHC010163632024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/4281/2024

DR. BIJAY CHAUHAN
GENERAL SECRETARY OF ALL ASSAM HOMEOPATHIC DOCTORS
ASSOCIATION,
RESIDENT OF VILLAGE DOIDAK, P.S.- KHERONI,
IN THE DISTRICT OF WEST KARBI ANGLONG- 782448, ASSAM.

VERSUS

THE UNION OF INDIA AND 10 ORS
REPRESENTED BY ITS SECRETARY,
MINISTRY OF HEALTH AND FAMILY WELFARE,
GOVERNMENT OF INDIA,
ROOM NO.- 201-D, NIRMAN BHAWAN,
NEW DELHI- 110001.

2:FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA (FSSAI)
REPRESENTED BY DIRECTOR
FDA BHAWAN

KOTLA ROAD
NEW DELHI- 110002.

3:INOSHI SHARMA
EXECUTIVE DIRECTOR

FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA (FSSAI)

FDA BHAWAN
KOTLA ROAD

NEW DELHI-110002.

4:MEDICAL AND HEALTH RECRUITMENT BOARD
ASSAM
REPRESENTED BY THE CHAIRMAN

ACMR BUILDING

NEAR O/O THE DME
SIX MILE

GUWAHATI- 781022
ASSAM.

5:THE CHAIRMAN
MEDICAL AND HEALTH RECRUITMENT BOARD
ASSAM
ACMR BUILDING
NEAR O/O THE DME

SIX MILE
GUWAHATI- 781022
ASSAM.

6:THE SECRETARY
MEDICAL AND HEALTH RECRUITMENT BOARD
ASSAM
ACMR BUILDING
NEAR O/O THE DME

SIX MILE
GUWAHATI- 781022
ASSAM.

7:COMMISSIONERATE OF FOOD SAFETY AND DRUG ADMINISTRATION
HEALTH AND FAMILY WELFARE DEPARTMENT
REPRESENTED BY THE COMMISSIONER OF FOOD SAFETY AND DRUGS
ADMINISTRATION

GOVERNMENT OF ASSAM

GROUND FLOOR
BLOCK-D

ASSAM SECRETARIAT
DISPUR

GUWAHATI- 781006.

8:ABHIJIT BARUAH

I.A.S.
COMMISSIONER OF FOOD SAFETY AND DRUGS ADMINISTRATION

GOVERNMENT OF ASSAM

GROUND FLOOR
BLOCK-D

ASSAM SECRETARIAT
DISPUR
GUWAHATI- 781006.

9:HEALTH AND FAMILY WELFARE DEPARTMENT
REPRESENTED BY THE COMMISSIONER AND SECRETARY

HEALTH AND FAMILY WELFARE DEPARTMENT

GOVERNMENT OF ASSAM

GROUND FLOOR
BLOCK-D

ASSAM SECRETARIAT
DISPUR

GUWAHATI- 781006.

10:THE JOINT SECRETARY TO THE GOVT. OF ASSAM
MEDICAL EDUCATION AND RESEARCH DEPARTMENT
D-BLOCK
GROUND FLOOR

ASSAM SECRETARIAT
DISPUR

GUWAHATI- 781006.

11:DR. INDRANOSHEE DAS
A.C.S.
THE DIRECTOR OF AYUSH
ASSAM

DISPUR
4QQR PLUS JWJ

DISPUR LAW COLLEGE RD
DISPUR

RUKMINI GAON
GUWAHATI

ASSAM 781036

Advocate for the Petitioner : MR UNUSH KHAN, MR S DAS

Advocate for the Respondent : DY.S.G.I., SC, HEALTH

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

28.08.2024.

Heard Shri U Khan, learned counsel for the petitioner, who is aggrieved by the exclusion of the Bachelor of Homeopathic Medicine & Surgery (BHMS) from the purview of the recruitment for the post of Food Safety Officer initiated vide the advertisement dated 31.10.2023.

It is the case of the petitioner that the expression "Degree in medicine" should be interpreted to include BHMS degree.

Let notice be issued, returnable by 6 weeks.

Ms. B Sarma, learned CGC accepts notice on behalf of the respondent no. 1 whereas Shri B Gogoi, learned Standing Counsel, Health Department, Assam accepts notice on behalf of the respondent nos. 4, 5, 6, 7, 9 and 10.

Extra copies of the writ petition along with annexures be served upon the learned counsel for the respondents within 2 days.

Steps for service of notice upon the respondent nos. 2, 3, 8 and 11 be taken by registered post with A/D within 2 days.

JUDGE

Comparing Assistant