

SLP(C)No. 14194 OF 2001

ITEM No.53

Court No. 9

SECTION XVII
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.14194/2001

(From the judgement and order dated 07/08/2001 in LPA 191/01
of The HIGH COURT OF PATNA)

PRAVIN CHANDRA & ORS.

Petitioner (s)

VERSUS

STATE OF BIHAR & ORS.

Respondent (s)

(With prayer for interim relief)
(With Appln(s). for exemption from filing O.T.)

Date : 03/12/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.P. MOHAPATRA
HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

For Petitioner (s) Mr. R.K.Jain,Sr.Adv.
Mr. Aseem Mehrotra,adv.
Mr. D.Misra,adv.
Mr. D.K.Chhaya,adv.
M/s. Hathi & Co.,adv.

For Respondent (s) Mr. Rakesh K. Sharma,Adv.

Mr. Neeraj Kumar Jain,adv.
Mr.Aditya Kumar Chaudhary,adv.
Mr. Ugra Shankar Pd.,Adv.

Mr. B.B. Singh,Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.J

.SP2

We have heard learned counsel for the parties.

The SLP is disposed of with no costs.

.SP1

(Suman Wadhwa)
Court Master

(S.Malkani)
Court Master

Signed order is placed on the file.

CIVIL APPELLATE JURISDICTION
SPECIAL LEAVE PETITION(CIVIL) No.14194 of 2001

Pravin Chandra & Ors. ...Appellants

Vs.

State of Bihar & Ors. ...Respondents

O R D E R

We have heard learned counsel for the parties.

The controversy raised in this case relates to the grant of MBBS degree to the petitioners who have successfully passed the MBBS examination from the Katihar Medical College, District Katihar in Bihar and have also completed one year internship. The respondents had declined to issue MBBS degree to the petitioners on the ground that the institution was not a recognised one. In the meantime, in pursuance of the direction passed by the learned Single Judge of Patna High Court, the Medical Council of India has accorded recognition to the college and it has been included in the list of recognised medical colleges under the schedule to the regulations.

At the commencement of the case the learned counsel appearing for the Bihar Council of Medical Registration, respondent no.5 herein, fairly submitted that the council has no objection to grant certificates in favour of the petitioners who have successfully completed the period of internship prescribed under the regulations. Shri B.B.Singh, learned counsel for the State of Bihar submitted that the matter at this stage is essentially one between the Bihar Council of Medical Registration and the B.N.Mandal University, respondent no.3 herein. He fairly submitted that if the council issues certificates of completion of internship period in favour of the petitioners the State Government will take necessary steps to recommend their cases to the University for issue of Degrees in their favour.

In view of the submissions of learned counsel for the parties noted above, we are of the view that the controversy arising in the matter having been resolved it is not necessary for this Court to examine the points raised in the SLP which are merely of academic interest. We are, therefore, not inclined to delve into such questions in this case.

Accordingly, it is ordered that the respondent no.5, Bihar Council of Medical Registration, will examine the records relating to the petitioners and issue final certificates to them within two months from today regarding completion of internship period and send the same to the respondent no.3 B.N.Mandal University for issuing MBBS Degrees to the petitioners in accordance with law as expeditiously as possible. The SLP is disposed of on the above terms. No costs.

.....J.
(D.P. Mohapatra)

.....J.
(P.Venkatarama Reddi)

