

NOTICE

**Regarding withdrawal of one seat of Patna Medical College,
Patna (Bihar)**

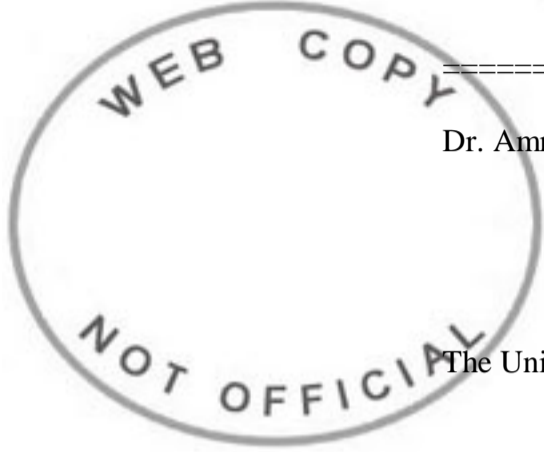
From All India Quota PG Counseling 2013 quota (Round-3)

The Hon'ble High Court Patna, vide order dated 04.07.2013 in Civil Writ Jurisdiction Case No.12013 of 2013 has directed the Union of India &ors "that one seat should be kept vacant for the petitioner in the concerned proceeding till further order". The copy of the order is reproduced below.

In compliance of the directions of the Hon'ble High Court Patna (Bihar) dated 04.07.2013 it has been decided to keep one seat of DGO vacant at Medical College, Patna (Bihar) and this seat is withdrawn from the pool of PG seats available for allotment during Round-3.

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12013 of 2013



Dr. Amrita Kumari @ Kumari Amrita

.... .. Petitioner

Versus

The Union Of India & Ors

.... .. Respondents

Appearance :

For the Petitioner : Mr. Awadhesh Pd. Sinha, Advocate

For the U.O.I. : Md. Anis Akhtar, (CGC)

For the State : Mr. Iqbal Asif Niazi, A.C. to G.P. 4

For the M.C.I. : Mr. Kumar Brijnandan, Advocate


CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

3 04-07-2013


Despite the direction contained in the order dated 28.06.2013, learned counsel for the State has not been able to receive any instruction.

The petitioner is aggrieved by Annexure 13 which is a seat cancellation receipt issued by the Patna Medical College. Petitioner claims to have been appointed in course of diploma in



Gynae & Obst. However, vide Annexure 12 which is a letter dated 22.06.2013, the Principal, Patna Medical College has written to the convener, Medical Counseling Committee, Director General of Health Services, Ministry of Health and Family Welfare, Govt. of India pointing out that the petitioner was having a provisional registration certificate issued by the Medical Council of India which was valid upto 29.12.2012. Thereafter, she had applied for full/permanent registration to MCI on 11.01.2013 but MCI has not issued a full registration certificate till date and, thus, direction was sought in this matter. It is also stated in the letter that MCI has also been requested to expedite the procedure for issuance of permanent registration certificate on 21.06.2013 itself but nothing has been heard from it. However, it is baffling that on the same date itself the candidature of the petitioner has been cancelled by the Patna Medical College vide Annexure 13. From the records it does not appear that there has been any fault on part of the petitioner rather certain technicalities are coming in the way.

Learned counsel appearing for the Medical Council of India has produced a copy of the Medical Council of India Postgraduate Medical Education Regulations, 2000 and pointed out the provision contained in Clause 8(3) after having been



substituted in terms of the notification published in the Gazette of India on 20.10.2008 that every student, selected for admission to a Post Graduate Medical Course in any of the Medical institutions on acquiring MBBS Degree or an equivalent qualification thereto shall have obtained permanent registration with the Medical Council of India, or any of the State medical Council(s) or shall obtain the same within a period of one month from the date of his/her admission, failing which his/her admission shall stand cancelled.

Learned counsel for the petitioner points out that petitioner should have been admitted provisionally and should have been asked to produce the permanent registration certificate within one month but in place of doing that her candidature has been cancelled on the said ground. However, since response of the relevant respondent has not come on affidavit till date two weeks' time is granted to the State to seek instruction and file counter affidavit in terms of the direction as contained in this order as well as the earlier order dated 28.06.2013. However, in view of the aforesaid provision and in view of the fact that on the same date when Annexure 12 was written the status of cancellation has been shown by the Patna Medical College vide Annexure 13, I deem it desirable that one seat should be kept vacant for the

petitioner in the concerned proceeding till further order. It is expected that the Medical Council of India would expedite the process and take a decision within the aforesaid period itself regarding grant of permanent certificate to the petitioner.

Put up this matter on 19.07.2013 under the same heading.

(Dr. Ravi Ranjan, J)

Sanjay-II/-