

17-41/2000-11

S.M-8(R)

249

Final Draft

From:.....

The Registrar,
Delhi High Court,
New Delhi.

26400-10
9.8.01

To,

1. Govt. of National Capital Territory of Delhi,
Through its Chief Secretary,
5, Sham Nath Marg
Delhi-110054
2. The Secretary (Medical)
Govt. of N.C.T. of Delhi
Delhi Sachivalaya, Players Bhawan,
New Delhi-110002.
3. The Principal,
Nehru Homoeopathic Medical College & Hospital,
B Block, Defence Colony,
New Delhi-110024.
4. Dr. Hari Singh,
Research Officer
Nehru Homoeopathic Medical College & Hospital,
B Block, Defence Colony,
New Delhi-110024.
5. University of Delhi,
Through its Registrar,
Delhi-110007.
The Controller of Examination,
University of Delhi,
Delhi-110007.
7. The Dean,
Faculty of Ayurveda & Homoeopathy,
Delhi University,
Tibbia College,
Karol Bagh, New Delhi-110005
8. Central Council of Homoeopathy,
Jawahar Lal Nehru Bhartiya Chikitsa
Aum Homoeopathy Anusandhan Bhawan,
No 61-65, V & VIth Floor,
Opposite D Block,
Institutional Area,
Janak Puri,
New Delhi-110058

AS/TS
11/9/01
OS/TS
11/9
Dr. Jaisury



Dr. B. M. Sharma

.....Petitioner

versus

Govt. of NCT of Delhi & Others


.....Respondent

Sir,

I am directed to forward for information and immediate compliance a copy of order dated 24.07.2001 passed by Hon'ble Mr. Justice S. K. Mahajan of this Court in the above noted case.

Please acknowledge receipt.

Yours faithfully


Assistant Registrar (Writs)
For Registrar

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REGISTRAR (WRITS)
11002

4.07.2001

259 2615

Present : Mr.M.K. Gupta for the petitioner.
Ms.Avinash Ahlawat for respondents 1-4.
Mr.Anurag Mathur for the respondents 5,6 & 7.
Ms.Anindita Gupta for respondent no.8.

C.M. No.1688/2001 & C.W. No. 998/2001

Respondent no.4 who is a Research Officer in the Nehru Homoeopathic Medical College and Hospital was appointed as the internal examiner of the Case-taking and Repertorisation of final year of the BHMS examination. His appointment as internal examiner was challenged by the petitioner on the ground that as per the regulations of the Homoeopathy council, the said respondent was not eligible to be appointed as internal examiner. During the pendency of the petition, the examinations have already taken place and no relief as claimed in the petition can be granted in favour of the petitioner at this stage. The question as to whether respondent no.4 had been illegally appointed as internal examiner or his appointment is illegal, arbitrary or mala fide and against the regulations of Homoeopathy Council is only academic.

Since the petitioner cannot be granted relief in this petition, it will be futile to hear this petition. The petition is, accordingly, dismissed.

July 24, 2001.
'ns'

Sd/-
(S.K.MAHAJAN)
JUDGE

