
(2021) 07 UK CK 0204

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 1971 Of 2018

Dr. Gaurav Benjwal

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 28-07-2021

Acts Referred:

Indian Medical Council Act, 1956 — Section 10A

Citation : (2021) 07 UK CK 0204

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Shobhit Saharia, Mamta Bisht, Hemant Pant, K.P. Upadhyaya

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Petitioner is a student of M.D. Radiology. Petitioner took admission in MD Radiology/Radio Diagnosis Course in Government Medical College,

Haldwani in the Batch 2015-16. At the time of petitioner's admission, permission under Section 10A of Indian Medical Council Act, 1956, was

granted; however, recognition was not given.

2. By means of this writ petition, petitioner has sought following relief:-

(i) Issue a writ, order or direction in the nature of mandamus declaring the post graduate degree obtained by the petitioner from Government Medical

College, Haldwani in Radiodiagnosis/Radiology as legal and valid in terms of notification dated 05.04.2018 issued by the Central Government.

(ii) Issue a writ, order or direction in the nature of mandamus commanding the respondent no. 5 to grant and make registration of the post graduate

course in a Radiodiagnosis/Radiology in the registration certificate of the

petitioner.

3. The matter was last listed on 14.07.2021, on which date, Mr. Parikshit Saini, Advocate appearing for Medical Council of India was asked to get

instructions. Today, on instructions from National Medical Commission, he made a statement that the said course, to which petitioner was admitted,

was recognised for the Batch 2015-16, 2016-17 and 2017-18.

4. Since petitioner belongs to 2015-16 Batch, therefore, logical corollary to the statement of Mr. Parikshit Saini is that Batch, to which petitioner

belongs, has been recognised.

5. Accordingly, writ petition is disposed of by taking the statement made by Mr. Parikshit Saini, learned counsel for respondent no. 4 on record.