



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 9TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE M.I.ARUN

AND

THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI

WRIT PETITION NO. 106257 OF 2025 (EDN-MED)

BETWEEN:

1. KLE ACADEMY OF HIGHER EDUCATION
AND RESEARCH DEEMED UNIVERSITY,
J N M C CAMPUS, BELGAUM-590 010,
R/BY ITS REGISTRAR, DR. M.S GANACHARI,
AGED ABOUT 57 YEARS.
2. JAWAHARLAL NEHRU MEDICAL COLLEGE,
O/A. J N M C CAMPUS, BELAGAVI-590 010,
R/BY ITS PRINCIPAL, DR. NIRANJANA
SHAMBHULINGAPPA MAHANTASHETTI,
AGED ABOUT 66 YEARS.

... PETITIONERS

(BY SRI. PRABHULING K. NAVADAGI, SENIOR COUNSEL FOR
SMT. LATHA S. SHETTY AND
SRI. SOURABH MIRJE, ADVOCATES)

AND:

1. UNION OF INDIA,
MINISTRY OF HEALTH AND FAMILY WELFARE
(MEDICAL EDUCATION), NIRMAN BHAVAN,
NEW DELHI-110 011, R/BY ITS SECRETARY.
2. THE DIRECTORATE GENERAL OF
HEALTH SERVICES (DGHS),



O/A. ROOM NO.330-A, NIRMAN BHAWAN,
MAULANA AZAD ROAD, NEW DELHI-110 011,
R/BY ITS DIRECTOR.

3. THE MEDICAL COUNSELLING COMMITTEE (MCC),
O/A. ROOM NUMBER 354,
DGHS MINISTRY OF HEALTH
AND FAMILY WELFARE,
NIRMAN BHAWAN,
NEW DELHI-110 011,
R/BY ITS DIRECTOR.
4. NATIONAL MEDICAL COMMISSION (NMC),
O/A. POCKET-14, SECTOR-8,
DWARKA PHASE-1,
NEW DELHI-110 077,
R/BY ITS SECRETARY.
5. UNDERGRADUATE MEDICAL EDUCATION BOARD,
NATIONAL MEDICAL COMMISSION,
O/A. POCKET-14,
SECTOR-8, DWARKA PHASE-1,
NEW DELHI-110 077,
R/BY ITS PRESIDENT.
6. STATE OF KARNATAKA,
DEPARTMENT OF MEDICAL EDUCATION,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560 001,
R/BY ITS SECRETARY.
7. KARNATAKA EXAMINATIONS AUTHORITY,
18TH CROSS ROAD, SAMPIGE ROAD,
MALLESWARAM, BENGALURU-560 012,



R/BY ITS DIRECTOR.

... RESPONDENTS

(BY SRI. M.B. KANAVI, ADVOCATE FOR R1 TO R3;
SRI. N. SHETTY AND
SRI. ANOOP DESHPANDE, ADVOCATES FOR R4 AND R5;
SRI. SHARAD V. MAGADUM, AGA FOR R6;
SMT. SURABHI KULKARNI, ADVOCATE FOR R7)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DECLARE REGULATION 8 OF "MAINTENANCE OF STANDARDS OF MEDICAL EDUCATION REGULATIONS, 2023" AS ULTRA VIRES, AND CONTRARY TO THE PROVISIONS OF THE NATIONAL MEDICAL COMMISSION ACT, 2019; ISSUE WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER, OR DIRECTION TO QUASH THE IMPUGNED ORDER BEARING NO.RENEWAL/UGMEB/2023-24/440 DATED 21.08.2025 ISSUED BY UGME BOARD-RESPONDENT NO.5 AS HIGHLY ARBITRARY, ILLEGAL, AND CONTRARY TO LAW AND CONSEQUENTLY DIRECT THE COMPETENT AUTHORITY/RESPONDENT NO.4 TO ISSUE RENEWAL OF PERMISSION FOR 200 MBBS SEATS FOR AY 2025-26. ANNEXURE-A; DECLARE THAT THE ACTION OF RESPONDENT NO.4 AND 5 FOR NOTIFYING "ZERO" MBBS SEATS FOR ADMISSIONS AT PETITIONER INSTITUTION FOR AY 2025-26 IS HIGHLY ARBITRARY ILLEGAL AND BAD IN LAW AND CONSEQUENTLY DIRECT THE RESPONDENT NO.3 AND 7 TO INCLUDE AND NOTIFY 200 MBBS IN THEIR RESPECTIVE SEAT MATRIX AND MAKE ADMISSIONS ON THE BASIS OF MERIT IN THE COUNSELLING PROCESS FOR ADMISSIONS TO UG MBBS COURSE IN AY-2025-26, ANNEXURE-B AND ETC.

THIS PETITION IS COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE M.I.ARUN
AND
THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI



ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE M.I.ARUN)

Petitioner No.2 is a medical college affiliated to petitioner No.1 deemed university. It was sanctioned an intake of 200 students for the course of M.B.B.S.

2. Subsequently, petitioner No.2 requested that its intake has to be increased to 250 students. At this juncture on the allegation that, there are certain deficiencies in the infrastructure of petitioner No.2-Institution and also on the ground that some officers of petitioner No.2 Institution tried to bribe some officers of respondent No.4-organisation, petitioner No.2-Institution was directed not to admit any students for the academic year 2025-26. It is submitted that prosecution has also been launched against some of the officers of petitioner No.2-Institution. Aggrieved by the same, the present writ petition is filed with the following prayers:

- "i. Declare Regulation 8 of "Maintenance of Standards of Medical Education Regulations, 2023" as ultra vires, and contrary to the provisions of the National Medical Commission Act, 2019.*
- ii. Issue writ in the nature of certiorari or any other appropriate writ, order, or direction*



to quash the impugned order bearing No. Renewal/UGMEB/2023-24/440 dated 21.08.2025 issued by UGME Board-Respondent No.5 as highly arbitrary, illegal, and contrary to law and consequently direct the competent authority/Respondent No.4 to issue renewal of permission for 200 MBBS seats for AY 2025-26. Annexure-A.

- iii. Declare that the action of Respondent No.4 and 5 for notifying "Zero" MBBS seats for admissions at Petitioner institution for AY 2025-26 is highly arbitrary illegal and bad in law and consequently direct the Respondent No.3 and 7 to include and notify 200 MBBS in their respective seat matrix and make admissions on the basis of merit in the counselling process for admissions to UG MBBS course in AY-2025-26, Annexure-B.*
- iv. Pass such other and further orders as this Court may deem fit and proper in the facts and circumstances of this case."*

3. By virtue of interim order of this Court, petitioner No.2-Institution has made admission for M.B.B.S. course for the academic year 2025-26. The case of the petitioners is that, in criminal law, there is no vicarious liability, and a mere allegation that some of its officers have tried to bribe the officers of respondent No.4 is not a sufficient material to withhold the



admission or to withdraw the permission granted to petitioner No.2-Institution to admit students. It is also submitted that all deficiencies pointed out have been cured.

4. Learned counsel for respondent No.4 upon instruction submits that, subsequent to filing of the present writ petition, the case of petitioner No.2 has been considered favourably by respondent No.4 and petitioner No.2-Institution is permitted to admit 250 students for the course of M.B.B.S. for the academic year 2025-26 and in the light of the same, the request of the petitioner becomes infructuous as the prayer of the petitioner stand granted by respondent No.4 itself.

5. The petitioner has also produced a letter of permission dated 16.10.2025 issued by respondent No.4 in favour of the petitioner herein, which shows that the petitioner is permitted to admit 250 students for the course of M.B.B.S. for the academic year 2025-26.

6. In the light of the aforementioned letter of permission, the learned counsel for the petitioners submits that he does not press for prayer No.1 in the writ petition and he prays that the other prayers could be granted.



7. In the light of the letter of permission dated 16.10.2025 issued by respondent No.4, the impugned order bearing No.Renewal/UGMEB/2023-24/440 dated 21.08.2025 vide Annexure-A to the writ petition and the impugned order dated 19.07.2025 vide Annexure-B to the writ petition stand quashed.

8. The respondents are directed to approve the admissions made by petitioner No.2-Institution for the course of M.B.B.S. for the academic year 2025-26 in accordance with the letter of permission dated 16.10.2025.

9. The writ petition stands disposed accordingly.

**Sd/-
(M.I.ARUN)
JUDGE**

**Sd/-
(B. MURALIDHARA PAI)
JUDGE**

SSP
CT:BCK
LIST NO.: 1 SL NO.: 14