IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

WRIT APPEAL NO.1011 OF 2023 (EDN-REGP)

C/W

WRIT APPEAL NO.1008 OF 2023 (EDN-AD)

WRIT APPEAL NO.1009 OF 2023 (EDN-RES)

BETWEEN:

K.T.G AYURVEDIC MEDICAL COLLEGE AND HOSPITAL
MANAGED AND RUN BY
K.T.G. EDUCATIONAL TRUST (R)
SITUATED AT NO.93
SRIGANDADAKAVAL
HEGGANAHALLI CROSS
BENGALURU-560 091
REPRESENTED BY ITS PRINCIPAL
DR. SHYLA R.J.B. YOGANAND

Digitally signed by PAVITHRA N
Location: High Court of Karnataka

...COMMON APPELLANT

(BY SRI. AJESH KUMAR S., ADV. FOR
SRI. DILEEP C. G., ADV.)

AND:

1. THE UNION OF INDIA
   MINISTRY OF AYURVEDA
   YOGA, UNANI
   SIDDA AND
   HOMEOPATHY-AYUSH
   'AYUSH BHAWAN', 'B' BLOCK
   G.P.O COMPLEX, INA
   NEW DELHI-110 023
   REPRESENTED BY ITS SECRETARY

2. THE NATIONAL COMMISSION FOR
   INDIAN SYSTEM OF MEDICINE (NCISM)
   (EARLIER CENTRAL COUNCIL OF
   INDIAN MEDICINE-CCIM)
   GOVERNMENT OF INDIA
   61-65, INSTITUTIONAL AREA
   OPPOSITE TO 'D' BLOCK
   JANAKAPURI
   NEW DELHI-110 058
   REPRESENTED BY ITS SECRETARY

3. THE STATE OF KARNATAKA
   HEALTH AND FAMILY WELFARE
   DEPARTMENT
   VIKAS SOUDHA
   DR. AMBEDKAR VEEDHI
   BENGALURU-560 001
   REPRESENTED BY ITS PRINCIPAL SECRETARY

4. THE RAJIVGANDHI
UNIVERSITY OF HEALTH SCIENCES
4TH 'T' BLOCK
JAYANAGAR
BENGALURU-560 041
REPRESENTED BY ITS REGISTRAR

…COMMON RESPONDENTS

(BY SRI. VINAY VENUGOPAL, CENTRAL GOVERNMENT SENIOR PANEL COUNSEL FOR R1;
SMT. MANASI KUMAR, ADV. FOR R2;
SRI. KHAMROZ KHAN, AGA FOR R3;
SRI. B.S.KARTHIKEYAN, ADV. FOR R4)

THE WRIT APPEAL NO.1011/2023 IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO ALLOW THE PRESENT APPEAL, CALL FOR CONCERNED RECORDS IN WP NO.36606/2019 AND SET ASIDE THE IMPUGNED JUDGEMENT DATED 17.07.2023 AND PASS SUCH OTHER ORDERS AS THE COURT MAY DEEMS FIT TO GRANT IN THE FACTS AND CIRCUMSTANCES OF THE CASE.

THE WRIT APPEAL NO.1008/2023 IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO ALLOW THE PRESENT APPEAL, CALL FOR

CONCERNED RECORDS IN WRIT PETITION NO.47281/2018 AND SET ASIDE THE IMPUGNED JUDGEMENT DATED 17.07.2023 AND PASS SUCH OTHER ORDERS AS THIS COURT MAY DEEMS FIT TO GRANT IN THE FACTS AND CIRCUMSTANCES OF THE CASE.

THE WRIT APPEAL NO.1009/2023 IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO ALLOW THE PRESENT APPEAL, CALL FOR CONCERNED RECORDS IN WRIT PETITION No.3899/2021 AND SET ASIDE THE IMPUGNED JUDGMENT DATED 17.07.2023 AND PASS SUCH OTHER ORDERS AS THIS COURT MAY DEEMS FIT TO GRANT IN THE FACTS AND CIRCUMSTANCES OF THE CASE.

THESE WRIT APPEALS HAVING BEEN HEARD AND RESERVED FOR JUDGMENT ON 14.07.2026 AND COMING ON FOR PRONOUNCEMENT OF JUDGMENT THIS DAY, **ANU SIVARAMAN J.,** PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VENKATESH NAIK T

CAV JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

Writ Appeals No.1008/2023, 1009/2023 and 1011/2023 are filed challenging the common order dated 17.07.2023 passed by the learned Single Judge in Writ Petitions No.47281/2018, 3899/2021 and 36606/2019, respectively.

2. We have heard Shri. Ajesh Kumar S., learned counsel appearing for the appellant and Shri. Vinay Venugopal, learned Central Government Senior Panel Counsel appearing for respondent No.1, Smt. Manasi Kumar, learned counsel appearing for respondent No.2, Shri. Khamroz Khan, learned Additional Government Advocate appearing for respondent No.3 and Shri. B.S. Karthikeyan, learned counsel appearing for respondent No.4 in all the appeals.

3. The appellant is an Ayurvedic Medical College and Hospital conducts Bachelor of Ayurvedic Medicine and Surgery ('BAMS' for short) course. The College was granted permission by respondents No.1 and 2 to admit 60 students

to the UG-BAMS course for the academic years 2016-17 and 2017-18. For the academic years 2018-19, 2019-20 and 2020-21, respondent No.2 inspected the appellant - College on 23.05.2018 and 24.05.2018, 22.04.2019 and 23.04.2019, and 24.12.2020, respectively, to assess compliance with the prescribed minimum standards. Pursuant to the notices issued by respondent No.1, the appellant appeared before the Hearing Committee and submitted its explanations and supporting documents in response to the deficiencies pointed out. Thereafter, by orders dated 10.10.2018, 25.07.2019 and 16.02.2021, respondent No.1 declined permission for the UG-BAMS course for the respective academic years. Aggrieved by the said orders, the appellant filed Writ Petitions No.47281/2018, 36606/2019 and 3899/2021, respectively.

4. The learned Single Judge held that the assessment of educational standards and institutional deficiencies primarily falls within the domain of the statutory expert authorities. Interference in exercise of writ jurisdiction would be warranted only where the decision

suffers from a jurisdictional error, ex facie perversity, mala fides or an error apparent on the face of the record. Since the deficiencies pointed out by the authorities had not been satisfactorily rectified, the orders denying permission for the academic years 2018-19, 2019-20 and 2020-21 were held to be legal and sustainable.

5. The learned Single Judge further rejected the contention that the matter continued to be governed by the repealed Indian Medicine Central Council Act, 1970. Relying upon Sections 28, 58 and 59 of the National Commission for Indian System of Medicine Act, 2020 ('NCISM Act' for short) and the decisions of the Apex Court, it was held that medical institutions are bound to maintain the prescribed minimum standards and cannot admit students without the requisite permission and that equitable considerations cannot override statutory requirements.

6. The learned Single Judge held that the appellant had admitted students for the academic years 2018-19, 2019-20 and 2020-21 despite the denial of permission. The learned Single Judge directed respondents No.1 and 2 to

take action under Section 28(1)(f) of the NCISM Act, including imposition of monetary penalty and to permit the students to appear for the examinations upon payment of the prescribed fee and penalty, if any. The writ petitions were accordingly disposed of by upholding the impugned orders and imposing costs of Rs.25,00,000/- in each writ petition upon the College.

7. The learned counsel appearing for the appellant contends that the learned Single Judge failed to appreciate that the orders denying permission were vitiated by the failure of the respondents to adhere to the mandatory procedure and timelines prescribed under the Indian Medicine Central Council (Requirements of Minimum Standard for Under-Graduate Ayurveda Colleges and Attached Hospitals) Regulations, 2016 ('2016 Regulations' for short). It is contended that the inspections were not conducted within the prescribed period and that the permission process was not concluded within the stipulated timelines, thereby entitling the appellant to claim deemed permission.

8. It is further contended that the learned Single Judge erroneously proceeded on the premise that the appellant was seeking permission under Sections 13A and 13C of the IMCC Act. The appellant had substantially complied with the deficiencies pointed out and had produced detailed explanations and supporting documents before the Hearing Committee. It is further contended that the deficiencies relied upon by the respondents did not truly reflect the position prevailing in the Institution. Adequate teaching faculty, hospital staff, infrastructure, equipment, herbal gardens, laboratories, libraries, hospital facilities and other statutory requirements were available, and any minor deficiencies either fell within the permissible limits under the Regulations, had already been rectified, or arose on account of practical circumstances such as shortage of senior faculty, pending litigation regarding enhancement of the retirement age, delay in allotment of teacher codes by the authorities, or temporary absence of staff.

9. It is also contended that the admissions made by the appellant were only pursuant to interim orders passed

by this Court and after disclosure of the pending litigation to the students and filing of the affidavits as directed by the Court. The findings attributing financial motives to the appellant are contended to be contrary to the record. It is also contended that similarly situated institutions with comparable or greater deficiencies were granted conditional permission or permitted to continue with reduced intake, whereas the appellant alone was denied such benefit, resulting in discriminatory treatment violative of Article 14 of the Constitution of India. It is contended that the learned Single Judge erred in directing action under the provisions of the NCISM Act in relation to proceedings initiated under the repealed IMCC Act overlooking the repeal and saving clause contained in Section 58 of the NCISM Act.

10. The learned counsel appearing for the appellant has placed reliance on the following decisions:-

- ***Hillside Ayurveda Medical College and Hospital v. Union of India and Others,*** *by order* ***dated 23.03.2018*** *passed in* ***W.P.No.46383 of 2015 (EDN-AD);]***

- ***T.M.A.E. Soceity's Ayurvedic Medical College and Hospital v. The Union of India and Others,***

by order ***dated 03.04.2019*** *passed in* ***W.P.No.49520/2018 & W.P.No.15305-15347/2019 (EDN-REG-P);***

- ***Hillside Ayurveda Medical College and Hospital v. Union of India and Others,*** *by order* ***dated 10.04.2019*** *passed in* ***W.P.No.49519/2018 & W.P.No.15978-16015/2019 (EDN-REG-P);***

- ***KVG Ayurveda Medical College v. Government of India and Others,*** *by order* ***dated 01.08.2019*** *passed in* ***W.P.No.31569 of 2019 (EDN-REG [P]);***

- ***Bapuji Ayurvedic Medical College and Hospital v. The Government of India and Others,*** *by order* ***dated 14.08.2019*** *passed in* ***W.P.No.29872 of 2019 (EDN-REG-P);***

- ***KVG Ayurveda Medical College v. State of Karnataka and Others,*** *by order* ***dated 05.09.2019*** *passed in* ***W.P.No.36481 of 2019 (EDN-MED-ADM);***

- ***Ashwini Ayurveda Medical College & P.G. Centre and Others v. The Union of India and Others,*** *by order* ***dated 24.01.2020*** *passed in* ***W.P.No.43305/2013 (EDN-RES) a/w Connected matters;***

- ***KVG Ayurveda Medical College v. Government of India,*** *by order* ***dated 13.02.2020*** *passed in* ***W.P.No.50432/2019 (EDN-RES);***

- ***Bapuji Ayurvedic Medical College and Hospital and Others v. The Government of India and Others,*** *by order* ***dated 10.09.2020*** *passed in* ***W.P.No.1511/2020 (EDN REG-P);***

- ***Karnataka Ayurveda Medical College v. The Union of India and Others,*** *by order* ***dated 24.09.2020*** *passed in* ***W.P.No.50772 of 2018 (EDN-REG-P);***

- ***Achutha Ayurvedic Medical College and Another v. Union of India and Others,*** *by order* ***dated 20.11.2020*** *passed in* ***W.P.No.12660 of 2020 (EDN-RES);***

- ***The Central Council of Indian Medicine v. Karnataka Ayurveda Medical College and Others,*** *by order* ***dated 21.12.2020*** *passed in* ***W.A.No.542 of 2020 (EDN-REG);***

- ***Bldea's A.V.S. Ayurveda Mahavidyalaya v. The Union of India and Others,*** *by order* ***dated 08.02.2021*** *passed in* ***W.P.No.44862 of 2018 (EDN-MED-ADM);***

- ***Bldea's A.V.S. Ayurved Mahavidyala v. The Union of India,*** *by order* ***dated 09.02.2021*** *passed in* ***W.P.No.46622 of 2019 (EDN MED-ADM);***

- ***Dhanwantri Ayurveda College and Another v. Union of India,*** *by order* ***dated 30.06.2021*** *passed in* ***W.P.No.112513/2019 (EDN);***

- ***Shri Krishnarajendra Charitable Trust's (R) v. The Union of India,*** *by order* ***dated 13.09.2021*** *passed in* ***W.P.No.48907 of 2019 (EDN-REG);***

- ***Amrutha Ayurveda Medical College and Hospital v. The Union of India and Others,*** *by order* ***dated 28.09.2021*** *passed in* ***W.P.No.49421 of 2019 (EDN-RES);***

- ***Sri. Balaji Education Trust v. The Union of India and Others,*** *by order* ***dated 28.09.2021*** *passed in* ***W.P.No.38850 of 2019 (EDN-REG);***

- ***M/s. Ashwini Ayurvedic Medical College, Hospital & Research Centre v. Union of India by Ministry of Health and Family Welfare and Others,*** *by order* ***dated 15.09.2022*** *passed in* ***W.P.No.52799 of 2018 (EDN-REG);***

- ***Hillside Ayurveda Medical College and Hospital v. The Union of India and Others,*** *by order* ***dated 28.08.2023*** *passed in* ***W.P.No.46132 of 2019 (EDN-RES);***

- ***National Commission for Indian System of Medicine v. Sri. Krishnarajendra Charitable Trust's and Others,*** by order ***dated 16.01.2025*** passed in ***W.A.No.33/2022 (EDN-REG) a/w connected matters;***

- ***Hukum Chand Shyam Lal v. Union of India and Others*** reported in ***(1976) 2 SCC 128;;***

- ***Union of India and Another V. Tulsiram Patel*** reported in ***(1985) 3 SCC 398;***
- ***Akshay N Patel v. Reserve Bank of India and Another*** reported in ***(2022) 3 SCC 694;***
- ***Union of India and another v. S.B.Vohra and Others*** reported in ***(2004) 2 SCC 150;***
- ***Vinod Seth v. Devinder Bajaj and Another*** reported in ***(2010) 8 SCC 1,*** *and*
- ***Keshavan Madhava Menon v. State of Bombay*** reported in ***1951 SCC 16.***

11. The learned Central Government Senior Panel Counsel appearing for respondent No.1 contends that there is absolutely blatant violation of the Act, Rules and Regulations, which are mandatorily required to be complied and the deficiencies pointed out by respondent No.2 requires to be mandatorily cured and removed before proceeding further in making admissions and running the College.

12. The learned Central Government Senior Panel Counsel places reliance on the decision of the Apex Court in the case of ***Medical Council of India v. The Chairman, S.R. Educational and Charitable Trust and another*** *passed in* ***Civil Appeal Nos. 10372 to 10375 of 2018*** *by order* ***dated 29.10.2018.***

13. The learned counsel appearing for respondent No.2 contends that the appellant had no legally enforceable right to seek permission or affiliation for the relevant academic years, particularly when the mandatory statutory requirements had not been fulfilled. It was further submitted that the deficiencies pointed out during inspection remained unrectified and that the appellant had failed to satisfy the prescribed minimum standards relating to infrastructure, faculty, Hospital facilities and teaching requirements. The question whether an Institution satisfies the statutory requirements falls within the domain of the expert Regulatory Authorities and is not amenable to judicial review under Article 226 of the Constitution of India except on limited grounds. It is further contended that the students were admitted without the requisite statutory permission and that the appellant could not derive any advantage from the interim orders passed by the Court. It was submitted that quashing the impugned orders would not automatically entitle the appellant to recognition or validate admissions made in violation of the statutory scheme.

14. It was also contended that respondent No.2 was competent to initiate appropriate action, including imposition of penalty under Section 28(1)(f) of the NCISM Act. It is submitted that the repeal of the IMCC Act did not affect proceedings in view of the saving provisions contained in the NCISM Act. It is further submitted that the procedure adopted by the respondents was strictly in accordance with the statutory framework. Any deviation from the prescribed timelines, including those occasioned by the COVID-19 pandemic, could not confer any benefit upon the appellant, who had itself failed to comply with the mandatory statutory requirements.

15. The learned counsel appearing for respondent No.2 places reliance on the following decisions:-

- ***Mani Subrat Jain and Others v. State of Haryana and Others*** reported in ***(1997) 1 SCC 486;***
- ***State of Maharashtra v. Vikas SahebraoRoundale and Others*** reported in ***(1992) 4 SCC 435;***
- ***Rajasthan State Industrial Development and Investment Corporation and Another v.***

Diamond and Gem Development Corporation Limited and Another reported in ***(2013) 5 SCC 470;***

- ***Ayurveda Shastra Seva Mandal and Another v. Union of India and Others*** reported in ***(2013) 16 SCC 696;***

- ***Medical Council of India v. The Principal, KMTC Medical College and Another*** reported in ***(2018) 9 SCC 766;***

- ***Manohar Lal Sharma v. Medical Council of India and Others*** reported in ***(2013) 10 SCC 60;***

- ***K V G Ayurveda Medical College v. State of Karnataka*** passed in ***W.P.No.36481 of 2019*** by order ***dated: 05.09.2019;***

- ***Medical Council of India v. State of Karnataka*** reported in ***(1998) 6 SCC 131;***

- ***M/s Ashwini Ayurvedic Medical College Hospital and Research Centre v. Union of India and Others*** passed in ***W.P.No.49756 of 2019*** by order ***dated 15.09.2022;***

- ***Medical Council of India v. Kalinga Institute of Medical Science*** reported in ***(2016) 11 SCC 530;***

- ***Dev Bhoomi Institute of Medical College of Ayurveda and Hospital v. State of Uttarakhand and Others*** passed in ***W.P.No.2730 of 2021*** by order ***dated 30.03.2022;***

- ***Central Council for Indian Medicine v. Karnataka Ayurveda Medical College and Others*** reported in ***(2022) 7 SCC 46*** and;

- ***National Council for Teacher Education and Another v. Venus Public Education Society and Others*** reported in ***(2013) 1 SCC 223.***

16. We have considered the contentions advanced. We notice that the writ petitions are filed in respect of the deficiencies found for the academic years 2018-19, 2019-20 and 2020-21. A reading of Annexure-D would show that the College was expected to have all the infrastructure, staff, teaching faculty, equipments, etc., ready as on the 31st December of every year for grant of permission for admissions in the next academic year. The regulations also provide for inspections to be conducted. Regulation No.3 of the 2016 Regulations reads as follows:-

> ***"3. Requirements of Minimum Standard to grant of permission-***
>
> *(1) (a) The Ayurveda colleges established under section 13A and existing under section 13C of the Act and their attached hospitals shall fulfil the requirements of minimum standard for infrastructure and teaching and training facilities referred to in the regulations 4 to 11 upto the 31st December of every year for consideration of*

grant of permissions for undertaking admissions in the coming academic session;

(b) the Central Council shall visit the college suo moto three months before the expiry of permission;

(c) the proforma of visit as prescribed by the Central Council on its website shall be filled online by the colleges and visitors respectively followed by submission of a hard copy of the same as per visitors guidelines issued by Central Council from time to time;

(d) the videography and photography of staff and infrastructure during the visit shall be made by the visitors and submitted along with detailed report and observations to the Central Council;

(e) after submission of online detailed report and observations by the visitors to the Central Council, the Central Council shall submit its recommendation along with detailed report to the Central Government within a period of one month from the submission of report by the visitors;

(f) the Central Council shall certify that teaching faculty present in the college is not working at any other place;

(g) the position prevailed on the date of visit to assess the fulfilment of requirements as specified in these regulations except sub-regulation (2) of regulation 7 shall be taken into consideration for grant of conditional permission or permission for a period of five years to the colleges.

(2) ***Requirements of Minimum Standard to grant of permission for a period of five years-***

(a) After fulfilment of the requirement as per these regulations by the college, the permission shall be granted to undertake admissions for a period of five years. The college shall be randomly inspected within the said period on receipt of any complaint; or if from online Bio-metric attendance it is found that teaching, non-teaching staff, hospital staff not present regularly, or hospital is not properly functional, or otherwise as required by the Central Government or by the Central Council;

(b) any deficiencies arising within the said period shall be fulfilled by the college within hundred-fifty days under intimation to the

Central Council otherwise the permission for a period of five years deemed to be withdrawn;

(c) colleges which were permitted for a period not exceeding five years from the academic session 2014-15 to 2018-19 and 2015-16 to 2019-20 shall be maintain the requirements as specified under the regulations 4 to 11 otherwise the permission for a period of five years deemed to be withdrawn.

(3) ***Requirements of Minimum Standard to grant of conditional permission of one year-***

(a) The conditional permission of one year for particular academic session shall be granted only to those colleges which are fulfilling following requirements on the basis of the inspection by the Central Council between the 31st December to the 31st March for the succeeding academic session:

(i) the requirement of teachers as specified in the Schedule-V;

(ii) the requirement of teaching hospital as specified under sub-regulation (2) of regulation 7;

(iii) availability of minimum seventy-five percent. of required equipment as specified in the Schedule-VII;

(iv) availability of herbal garden as specified in the Schedule-III;

(v) availability of hospital staff as specified in the Schedule-IV,

(vi) availability of technical and other staff as specified in the Schedule-VI;

(vii) availability of college council as specified in sub-regulation (1) of regulation 9;

(viii) availability of college website as specified in sub-regulation (2) of regulation 9;

(ix) availability of biometric attendance as specified in sub-regulation (3) of regulation 9; and

(x) availability of minimum constructed area of college and hospital as specified in regulation 5.

(b) the colleges, which have been granted conditional permission or which have been

> *denied permission for the academic session 2015-16 shall be required to fulfil the requirements as specified above in clause (a) to obtain the conditional permission of one year for particular academic session or for a period of five years as specified in the regulations 4 to 11. "*

However, the contention of the appellant is to the effect that inspections were conducted belatedly and that the appellant did not have proper time to rectify the anomalies found, we are unable to agree with these contentions. The Regulations clearly provide that the facilities should be available as on the 31st December of the previous year. The inspection is intended only to verify whether such facilities, faculty and infrastructure is actually present in the College. The requirement relates back to the date as provided in the Regulations.

17. The Apex Court in ***Ayurveda Shastra Seva Mandal v. Union of India*** reported in ***(2013) 16 SCC 696***, held that the assessment of educational standards is not a matter for the Court to judge in place of the experts. Further, the Apex Court in ***Medical Council of India v. Kalinga Institute of Medical Sciences*** reported in ***(2016) 11 SCC 530***, reiterated that where an expert body

certifies that the facilities of a medical college are inadequate, the writ court cannot sit in appeal over that assessment and may interfere only on cogent jurisdictional grounds such as mala fides, ex facie perversity or jurisdictional error.

18. Having considered the contentions advanced and the decisions relied upon by both sides, we are of the opinion that no ground for interference with the order of the learned Single Judge has been made out. It has been contended by the appellant that the inspections for the academic years in question were conducted belatedly, that the permission process was not concluded within the timelines stipulated in the 2016 Regulations, that the appellant was not afforded sufficient time to rectify the deficiencies, therefore, the appellant is entitled to deemed permission. This contention cannot be accepted. A reading of Regulation 3(2)(b) of the 2016 Regulations would show that deemed permission is given only in respect of a college holding a subsisting five-year permission under Regulation 3(2)(a) of the 2016 Regulations and that it operates against

the college by treating its permission as withdrawn if deficiencies noted during the five-year period are not rectified within one hundred and fifty days. The appellant in the instant case did not hold a five-year permission for any of the academic years in question. Further, we notice that the requirement under Regulation 3(1)(a) of the 2016 Regulations is that the infrastructure, faculty and facilities be in place as on 31st December preceding the academic year for which permission is sought. The inspection is only a verification of that position. The 2016 Regulations do not contain any provision under which delay in the conduct of the inspection or in the passing of the final order operates to grant permission by deeming. Further, we notice that the Apex Court in ***Central Council for Indian Medicine v. Karnataka Ayurveda Medical College and Others*** reported in ***(2022) 7 SCC 46***, held that for grant of permission to undertake admissions in a particular academic session, the institution must fulfil the prescribed minimum standards as on 31st December of the preceding year**.** Therefore, permission granted for a subsequent academic

year cannot enure to the benefit of an earlier academic year in which the institution did not fulfil the requisite minimum standards. This position confirms the position that compliance is to be assessed as on 31st December of the preceding year.

19. Having considered the contentions advanced and the decisions which are relied on by both sides, we are of the opinion that the contention that the appellant was not given proper time to rectify the defects cannot be accepted under any circumstances. The writ appeals therefore fail and the same are accordingly ***dismissed***.

All pending interlocutory applications in all the appeals shall stand disposed of.

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(VENKATESH NAIK T)
JUDGE

PN