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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2422/2016 & C.M.Nos.10362-10364/2016**

GURU RAM RAI INSTITUTE OF MEDICAL & HEALTH
SCIENCES

..... Petitioner

Through Ms.Bina Madhavan with
Mr.Mrityunjai Singh, Advocates.

versus

UNION OF INDIA & ANR

..... Respondents

Through Ms.Monika Arora, CGSC with
Mr.Gaurav Rohilla, Advocate for R-
1/UOI.

Mr.T.Singhdev with Ms.Biakthan
Sangi, Advocates for R-2/MCI.

AND

+ **W.P.(C) 2460/2016 & C.M.Nos.10501-10503/2016**

SHRI GURU RAM RAI INSTITUTE OF MEDICAL & HEALTH
SCIENCES & ANR

..... Petitioners

Through Ms.Bina Madhavan with
Mr.Mrityunjai Singh, Advocates.

versus

UNION OF INDIA & ANR

..... Respondents

Through Ms.Monika Arora, CGSC with
Mr.Gaurav Rohilla, Advocate for R-
1/UOI.

Mr.T.Singhdev with Ms.Biakthan
Sangi, Advocates for R-2/MCI.

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Date of Decision: 21st March, 2016.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

J U D G M E N T

MANMOHAN, J: (Oral)

1. Present batch of writ petitions has been filed challenging the order dated 19th February, 2016 issued by respondent no. 1, whereby petitioner-Institute's applications for increase of seats for PG course of MS (ENT), and for starting post-graduate course of MS (OBG) for the Academic Year 2016-17 were disapproved on the basis of negative recommendation by the respondent no.2-MCI.
2. Petitioners also challenge the communication dated 27th January, 2016, whereby deficiencies were pointed out in the petitioner-institute. Petitioners also seek to direct the respondent no. 1 to re-consider petitioners' applications dated 22nd April, 2015 and 28th April, 2015.
3. It has been averred in the petitions that the petitioners vide letter dated 22nd April, 2015 sought increase of number of post- graduate seats in MS (ENT) and vide letter dated 28th April, 2015 sought starting post-graduate course of MS (OBG).
4. In the writ petitions, it is stated that in pursuance to the aforesaid letter, assessors of respondent no. 2-MCI conducted inspections in September, 2015. Respondent no.2-MCI pointed out deficiencies to the

petitioner-institute, who in turn, submitted compliance reports in November, 2015 giving detailed replies to each and every deficiency pointed out.

5. Learned counsel for the petitioners states that respondent no.2-MCI conducted compliance verification inspection in December, 2015 and pointed out further deficiencies which have been communicated vide letter dated 27th January, 2016.

6. On the other hand, Mr.T.Singhdev, learned counsel for respondent no.2-MCI states that the present writ petitions are not maintainable as the last date for issuance of letter of permission by the Central Government was 28th February, 2016.

7. In support of his contention, he has referred to the judgment and order dated 18th January, 2016 passed by the Apex Court in ***Ashish Ranjan & Ors. Vs. Union of India & Ors. in W.P.(C) No.76/2015.***

8. The time schedule incorporated in the said order is reproduced hereinbelow:-

“TIME SCHEDULE FOR RECEIPT OF THE APPLICATIONS OF POST GRADUATE (BORAD SPECIALITY) COURSES/INCREASE OF ADMISSION CAPACITY AND PROCESSING OF THE APPLICATIONS BY THE CENTRAL GOVERNMENT AND MEDICAL COUNCIL OF INDIA.

<i>S. No</i>	<i>State of processing</i>	<i>Last Date</i>
<i>1.</i>	<i>Receipt of applications by the Central Government.</i>	<i>Between 15th March to 7th April (both days inclusive of any year)</i>
<i>2.</i>	<i>Forwarding application by the Central Government to Medical Council of India.</i>	<i>By 15th April</i>
<i>3.</i>	<i>Technical scrutiny, assessment and</i>	<i>By 30th</i>

	<i>Recommendations of Letter of Permission by the Medical Council of India.</i>	<i>September</i>
4.	<i>Receipt of reply/compliance from the applicant by the Central Government and for personal hearing thereto, if any and forwarding of compliance by the Central Government to the Medical Council of India.</i>	<i>Two months from receipt of recommendation from MCI but not beyond 15th November</i>
5.	<i>Final recommendations for the Letter of Permission by the Medical Council of India.</i>	<i>By 31st January</i>
6.	<i>Issue of Letter of Permission by the Central Government.</i>	<i>By 28th February</i>

9. Keeping in view the aforesaid time schedule, it is apparent that the last date of issuance of letter of permission by the Central Government has expired on 28th February, 2016.

10. Consequently, this Court is of the view that no relief can be granted to the petitioners in the present batch of petitions. Accordingly the present writ petitions along with the applications are dismissed, but no order as to costs.

MANMOHAN, J

MARCH 21, 2016
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