

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.24158 of 2016 (O&M)

Date of Decision: 14.12.2017

Lord Mahavira Homoeopathic
Medical College & Hospital Society

... Petitioner

VS.

Union of India & Ors.

... Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE SUDHIR MITTAL**

Present : Mr. Piyush Kant Jain, Advocate for the petitioner

Mr. Ravinder Singh, Advocate for
Mr. Puneet Jindal, Senior Panel Counsel, UOI – applicant

Mr. Lovedeep, Advocate for
Mr. DS Sandhu, Advocate for respondent No.3

Mr. TS Chauhan, Advocate for respondent No.4

SURYA KANT, J. (Oral)

(1) The petitioner is a Self-Financed Privately Managed Homoeopathic College. The grievance in the instant writ petition is against the order dated 03.11.2016 (P6) passed by Ministry of of Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homoeopathy (AYUSH), Government of India whereby permission to admit students in BHMS-UG course was declined. The petitioner also seeks a direction to permit it to admit 50 Undergraduate seats in BHMS Course in the academic year 2016-17.

(2) It is an admitted fact that learned Single Judge vide interim order dated 22.11.2016 allowed the petitioner-Institute to admit students for the above-stated academic year provisionally and subject to final outcome of the writ petition. Pursuant to those directions, the petitioner-Institute has admitted candidates against 50% in BHMS course.

(3) Learned counsel for the Union of India has placed on record Photostat copy of the order dated 31.08.2017 whereby after a fresh inspection of the infrastructure, teaching & training facilities made available by the petitioner-Institute, it has been granted permission to make admissions for the year 2017-18. Copy of the order dated 31.08.2017 is taken on record.

(4) In view of the fact that the petitioner-Institute has removed the shortcomings, if any, and the Government of India has accorded permission for the academic session 2017-18 and the candidates admitted by the petitioner-Institute in the academic sessions 2016-17 have already completed more than a year's course, we are satisfied that in view of these subsequent events, the directions issued on 22.11.2016 deserve to be made absolute. Ordered accordingly. The respondents are thus directed to regularize the admission of students admitted pursuant to the directions dated 22.11.2016 for all intents and purposes.

(5) The writ petition stands disposed of accordingly.

(Surya Kant)
Judge

14.12.2017
vishal shonkar

(Sudhir Mittal)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No