

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-27210-2016(O&M)

Date of Decision: November 29, 2017

Sri Satya Sai Murlidhar Ayurvedic College and Hospital

.....Petitioner

Versus

The Union of India and others

.....Respondents

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

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| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Rajiv Atma Ram, Sr.Advocate with
Mr.Arjun Pratap Atma Ram, Advocate
for the petitioner.

Mr.Aseem Aggarwal, Standing counsel for UOI.
Mr.Sunil Kumar Sharma, Advocate for CCIM-respondent No.2.
Mr.T.S.Chauhan and Mr.Satnam Chauhan, Advocates
for respondent No.3-University.
Ms.Anu Pal, AAG, Punjab.

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SURYA KANT, J.

The petitioner is a self financed privately managed Ayurvedic College and Hospital. The instant writ petition has been filed seeking quashing of the impugned letters dated 15.02.2016, 28.07.2016, 14.09.2016 and 29.11.2016 with a further direction to include the name of the petitioner-College in the counselling for BAMS Course and allocate students to it in the academic session 2016-17. Suffice to mention that the impugned communications are the orders passed by the respondent-authorities in terms of certain shortcomings/deficiencies noticed in the infrastructure of the petitioner-College and consequently it was included in the list of 'No Admissions'. The aggrieved petitioner, thus, approached this Court.

Learned Single Judge vide a self speaking interim order dated 23.12.2016

granted provisional permission to admit 40 students in the BAMS (UG) course though subject to final outcome of the writ petition.

[2] It is an admitted fact that pursuant to the interim directions granted by this Court, the petitioner-College could admit only ten students who have already completed one year. It is also an admitted fact that the deficiencies/shortcomings, if any, were immediately removed by the petitioner-College and after a fresh inspection by CCIM, conditional permission has been granted to the petitioner-College for admitting 40 students in BAMS (UG) Course for the Session 2017-18. The order to this effect dated 04.08.2017 is placed on record as (P-31).

[3] In the light of the above and for the reasons assigned by this Court in order dated 19.09.2017 passed in CWP-24399-2015 (**Gaur Brahmin Ayurvedic College and Hospital, Rohtak vs Union of India and others**), we are satisfied that writ petition deserves to be allowed. Ordered accordingly. The impugned communications are set aside and the admissions made by the petitioner-College pursuant to the interim order dated 23.12.2016 are ordered to be regularised for all intents and purposes. This order shall however have no bearing on the petitioner-College's claim regarding enhancement of its intake from 40 to 60 for which a separate appeal is said to have been filed.

(SURYA KANT)
JUDGE

November 29, 2017
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(SUDHIR MITTAL)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |