

\$~31

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 10879/2016 & C.M. No.42629/2016
LALITABEN RAMNIKLAL SHAH HOMEPATHIC MEDICAL
COLLEGE

..... Petitioner
Through Mr. Dhawal Dave, Sr. Adv with Mr.
Joginder Sukhija, Advs.

versus

UNION OF INDIA & ANR

..... Respondents
Through Ms.Manisha Aggarwal Narain, Adv
for R-1.
Mr. Ajay Kumar and Mr. Kundan K.
Mishra, Advs for R-2.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **08.08.2017**

Respondent No.1 has instructions. Her submission is that since there is no application of the petitioner on record, the question of the Department considering his application would not arise.

Learned senior counsel for the petitioner points out that admittedly an application had been filed by the petitioner seeking permission of respondent No.1 for the year 2016-2017. This had been rejected for the academic session 2017-2018, the application could not be filed as the decision on his application was taken in November, 2016 which was after the cut-off date for moving an application which cut-off date was April, 2016. This factual position is not in dispute.

Learned senior counsel for the petitioner points out that a similar prayer made in W.P. (C) No.10897/2016 Jay Jalaram Homeopathic Medical College and Union of India & Anr delivered on 21.07.2017 and the pending application of the petitioner in that case had been directed to be considered afresh for the year 2017-2018.

This Court is of the view that such an order on the principle of parity can be passed. The application already filed by the petitioner will be considered by respondent No.1 and a decision on the same shall be taken after, needless to state, an inspection had been carried out by respondent No.1. The petitioner will also pay the process fee which is required for this current session. Respondent No.1 will process the application of the petitioner for the following academic session 2017-2018 in accordance with law within an outer limit of 8 weeks from today.

Petition disposed of.

INDERMEET KAUR, J

AUGUST 08, 2017

A