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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8588/2017**
ITM HOMEOPATHIC MEDICAL

..... Petitioner

Through: Mr Chandrashekhar Singh, Adv

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr Rajesh Kr and Mr Jitendra Kr
Tripathi, Adv for R-1
Mr Kundan Kr Mishra, Mr Ajay Kr
and Mr Akshay Srivastava, Advs for
R-2

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
31.10.2017

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The petitioner submits that the terms of the Homeopathy Central Council Act, 1973, Chapter II A, Section 12A(a) postulates that in any case if the Scheme is defective and does not contain any necessary particulars, a reasonable opportunity has to be granted to a person or the medical institution concerned to make a written representation and it shall be open to such a person or medical institution to rectify the defects, if any, as specified by the Central Council. The submission of the learned senior counsel for the petitioner on this count is that averments made in the present writ petition be treated as written representation to the Department and he be granted an opportunity to rectify the defects, if any, as and when

specified by the Central Council.

Respondent No. 1 has put in appearance on the last date. He had been granted time to file counter affidavit. Needful has not been done. Respondent No. 1 is represented through counsel.

Accordingly, this writ petition be treated as representation in terms of the aforementioned provision of law as contained in the Homeopathy Central Council Act, 1973. The representation of the petitioner shall be answered in accordance with law by respondent No. 1 within an outer limit of 6 weeks from today for the year 2018-19 and the defects as specified by the Central Council shall be informed to the petitioner institution which would then be granted liberty to rectify the same.

Petition is disposed of in the above terms.

INDERMEET KAUR, J

OCTOBER 31, 2017
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