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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8546/2017 and CM No. 39009/2017

ALIGARH HOMEOPATHIC MEDICAL

..... Petitioner

Through: Mr Kirti Uppal, Sr Adv with
Mr Chander Shekhar, Mr Sidharth
Chopra and Mr Pranvir Sethi, Advs

versus

UNION OF INDIA AND ANR.

..... Respondents

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

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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31.10.2017

The petitioner has filed an application seeking amendment of the writ petition. It is not pressed for the time being. His submission is 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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