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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 181 of 2018**

Mohsine Millat Unani-Tibb Education Society, Baijnathpara, Raipur Chhattisgarh Through Shamsuddin, S/o Mohammed Yaqub, Age About 45 Years, Secretary, Mohsine Millat Unani - Tibb Education Society, Baijnathpara, Raipur District Raipur Chhattisgarh.

---- **Petitioner****Versus**

1. The Union Of India Government Of India, Ministry Of Ayurveda, Yoga And Naturopathy, unani, Siddha And Homoeopathy (Ayush), Ayush Bhavan, B. Block, Gpo Complex, INA, New Delhi-110023.
2. The Secretary, Medical Council Of India, 61-65, Industrial Area, Opposite D Block, Janakpuri, Delhi - 110058.
3. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Govt. Of Chhattisgarh, Secretariat, Raipur Chhattisgarh.
4. Director Ayurveda, Yoga And Naturopathy, Unani, Siddha And Homoeopathy (Ayush), Old Nurses Hostel, Dks Bhawan, Raipur District Raipur Chhattisgarh.
5. Medical Council of India, Through : Secretary, Pocket-14, Sector 8, Dwarka Phase-1, New Delhi-110077
6. Central Council of Indian Medicine, Through Secretary, Central Council of Indian Medicine, 61-65, Institutional Area, Opp.'D' Block, Janakpuri, New Delhi 110058

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For Petitioner	: Smt. Smita Jha, Advocate
For State	: Shri Prafull Bharat, Additional Advocate General
For respondent No.2	: Shri R.S. Marhas, Advocate
For respondents	: Shri B. Gopa Kumar, Assistant Solicitor General for Union of India and respondent No. 6

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri Sharad Kumar Gupta, Judge****Order On Board**

Per Thottathil B. Radhakrishnan, Chief Justice

02/02/2018

1. The petitioner, which was an educational institution, seeks a direction to respondent No. 3 State of Chhattisgarh to decide on the petitioner's representation in relation to admission of students to AYUSH (UG) Course for the Academic Year 2017-2018. That representation is dated 07/12/2017. The Government of India has also intimated the State Government that it is for the State of Chhattisgarh to take a decision on that representation. This is evident from Annexure P/7.
2. We have heard the learned counsel for the petitioner, the learned Additional Advocate General for the State, the learned counsel for the Medical Council of India and the learned Assistant Solicitor General for the Union of India and also 6th respondent-Central Council of Indian Medicine.
3. The sum and substance of submissions on behalf of the petitioner is that the modifications brought to the Rules of admission were made just before the last date of admission and therefore in the case in hand, it needs to be considered that the petitioner is eligible to be permitted to admit students for AYUSH (UG) Course for the Academic Year 2017-2018 on the basis of the marks obtained by the applicants in the 10+2 Examinations as was done during previous academic year without insisting on their appearing in the NEET Examination or the VYAPAM Examination. This is an issue which the State Government has to consider.
4. In the result, having regard to the peculiar fact situation noted

above and the future of the aspiring applicants for admission to the petitioner's institution, this writ petition is ordered directing that the third respondent-Government of Chhattisgarh will decide on Annexure-P/6 in the light of Annexure-P/7 at the earliest. The writ petition is ordered accordingly.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge