

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

C.W.P. No.26324 of 2018 (O&M)
DATE OF DECISION : 29.10.2018

Murari Lal Rasiwasia Ayurvedic College and Hospital PETITIONER

VERSUS

The Union of India and others RESPONDENTS

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE AMIT RAWAL**

Present:- Shri Rajiv Atma Ram, Senior Advocate with
Shri Arjun Pratap Atma Ram and Shri Nishant Bhardwaj,
Advocates for the petitioner.

Shri Arun Gosain, Advocate.

Shri Nilesh Bhardwaj, Advocate.

Shri Ranbir Sood, Advocate.

Shri Samarath Sagar, Additional A.G. Punjab.

MAHESH GROVER, J.

C.M. Nos.16324 & 16325 of 2018

Allowed as prayed for.

Main Case

This petition has been filed with a prayer for the issuance of a writ in the nature of certiorari quashing the order dated 27.7.2018 denying permission to the petitioner College to go ahead with the admission of B.A.M.S. for the academic session 2018-19. The petitioner also seeks interim relief of permission to

go ahead with admissions to the said Course for the session 2018-19. It is pleaded that the College has been and imparting education in the course in question, but now they are facing problems for certain deficiencies resulting in restraints upon the College to go ahead with the admissions.

Respondent No.1 pointed out certain deficiencies ostensibly based on the report of the C.C.I.M. which are extracted here below :-

- “i. Web based computerized central registration system is not available as per RMS, 2016.
- ii. Functional X-Ray, ECG and USG are not available.
- iii. Quality testing laboratory is not available.
- iv. There is no higher and lower faculty in the department of Prasuti Tantra and strirog against the requirement of 01 each.
- v. 41 hospital staff is available against the requirment 45.
- vi. There are no medical specialities of modern medicine (Medical Specialist, Surgical Specialist. Obsterician and Gynecologist, Pathologist Anaesthesiologist, Ophthalmologist, Pediatrician, Radiologist, Dentist) against the requirement of 01 each as per RMS.
- vii. Aadhaar based Geo location enabled attendance system is not functional for teaching staff, non-teaching staff, hospital staff and PG students as per decision dated 31.1.2018 and policy decision dated 15.6.2018 in place of Biometric Attendance as per sub-regulation (3) of regulation 9 of MSR.”

We also find that the impugned order is unsustainable because it does

not address the stand of the Institute which pleaded that the necessary compliance

had been done upto 31.12.2017. If that be so, the CCIM would be required to grant necessary permission to the College to go ahead with the admission and a speaking order will be passed in this regard.

Learned counsel for the petitioner has virtually made his submissions on the lines which were urged in C.W.P.26723 of 2018 decided on even date, i.e. 29.10.2018 and therefore, we are of the opinion that the reasoning set out by us in C.W.P.26723 of 2018 will be attracted to the present case as well.

We need not record our reasons separately in the present case, in view of the detailed order of even date passed by us in C.W.P. No.26723 of 2018.

Hence, we dispose of the present petition with same directions as given in C.W.P.26723 of 2018.

The office is directed to list the matter on 30.1.2019 only for the purpose of submission of report by the respondents.

(MAHESH GROVER)
JUDGE

(AMIT RAWAL)
JUDGE

October 29, 2018
GD

Whether speaking/reasoned	Yes
Whether reportable	Yes/No