

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

C.W.P. No.27201 of 2018 (O&M)
DATE OF DECISION : 29.10.2018

Sri Satya Sai Murlidhar 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.16328 & 16329 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 11.10.2018 and the recommendations of the Central Council of Indian Medicine (hereinafter referred to as the CCIM). The petitioner also seeks interim relief of permission to go ahead

with admissions to the B.A.M.S. 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) All the Minimum Standards requirements of infrastructure and teaching & training facilities as specified in Regulation 3 & 10 of the “Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016 ;
- (ii) All the requirements of “Indian Medicine Central Council (Requirements of Minimum Standard of Educations in Indian Medicine) Amendment Regulations (for Ayurveda College); and
- (iii) All the requirements under the provisions of IMCC Act, 1970 and relevant Regulations made there under should be fulfilled in toto.”

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 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

October 29, 2018
GD

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No