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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 3897/2013

KRISHAN PAL SINGH & ORS Petitioners
Through Mr.Sandeep Gupta, Adv.

versus

CENTRAL COUNCIL OF INDIA MEDICINE Respondent
Through Nemo.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
% **18.04.2018**

Vide the present petition, the petitioners have prayed for a direction to the Central Council of Indian Medicine, to include the degree of the petitioners (Diploma in Unani Medicine) in Schedule II of Indian Medicine Central Council Act and thereby register the name of the petitioner in the Central Register maintained by the respondent.

Learned counsel for the petitioners submits that the petitioners had obtained the said Diploma from National Unani Medical College, Saharanpur, U.P., which was a minority Institute. He submits that based on the aforesaid qualification, the petitioners were duly registered with the Board of Indian Medicines in the State of Uttar Pradesh had thereafter applied for registration in Delhi which request had been rejected and the said rejection order has already attained finality.

Learned counsel for the petitioners, however, submits that even

though the petitioners may not have been found eligible to be registered in the State of Delhi but they having been duly registered in the State of U.P. as per the provisions applicable there, they are also entitled to get their names to be included in the register maintained by the Central Council for Indian Medicine. He further submits that the petitioners have made a representation dated 26th February, 2013, to the respondent for the said purpose which has remained unanswered, compelling the petitioners to approach this Court.

The record shows that despite notice, except on a few dates, none has been appearing on behalf of the respondent and despite opportunities no counter affidavit has been filed on behalf of the respondent.

At this stage, learned counsel for the petitioners submits that he would be satisfied for the time being, if the respondent is directed to decide the petitioner's representation dated 26th February, 2013.

Having heard learned counsel for the petitioners, I am of the considered opinion that irrespective of the merit of the petitioner's case, the respondent ought to have at least disposed of the petitioner's representation which has remained pending with them for the last five years.

Accordingly, the writ petition is allowed by directing the respondent to dispose of the petitioner's aforesaid representation dated 26th February, 2013 by passing a reasoned and speaking order (within a period of six weeks).

In order to obviate any objection from the respondent regarding non-receipt of the representation, the petitioners are directed to

furnish a copy of the aforesaid representation to the respondent within one week.

Needless to say that in case the petitioners is aggrieved by any order passed by the respondent, it would be open for them to take legal recourse as permissible under law.

The petition is disposed of in the aforesaid terms.

APRIL 18, 2018/aa

REKHA PALLI, J