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

+ **W.P.(C) 4320/2018 & CM Nos.16788-789/2018**

F. H. MEDICAL COLLEGE AND ANR.

..... Petitioners

Through: Mr.Amarendra Saran, Sr. Adv. with
Mr.Shaurya Sahay & Mr.Amit
Kumar, Adv.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Ms.Monika Arora, CGSC with
Ms.Saakshi Agrawal, G.P. for R-1.
Mr.Vikas Singh, Sr. Adv. with Mr.T.
Singhdev, Ms.Amandeep Kaur,
Ms.Manpreet Kaur, Mr.Tarun Verma,
Ms.Puja Sarkar, Ms.M. Biakthansangi
Das & Mr.Abhijit Chakravarty, Adv.
for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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27.04.2018

Vide the present petition, the petitioner-Institute has sought quashing of the respondent No.2/Medical Council of India's recommendation dated 07.11.2017, recommending disapproval of the petitioner's scheme for renewal of the permission for the 5th batch of 150 MBBS students for the academic year 2018-2019.

Mr.Amarendra Saran, learned senior counsel for the petitioner, submits that after receipt of the aforesaid recommendation from

respondent No.2, the respondent No.1/Union of India had given the petitioner an opportunity of being heard as per the regulations and, after considering the submissions of the petitioner had vide its order dated 05.12.2017, had directed the respondent No.2 to review the petitioner's application. He submits that however, even after almost 5 months from the date of the aforesaid order passed by respondent No.1, the respondent No.2 has not taken any action thereafter, due to which inaction, the petitioner is likely to miss the cut-off date prescribed in the schedule.

At this stage, Mr.Vikas Singh, learned senior counsel for respondent No.2 submits that a decision on the direction of respondent No.1 in respect of the petitioner has been taken by the Executive Committee, and the same has today been submitted to the Oversight Committee for its approval. He assures the Court that the final recommendation would be shortly communicated to respondent No.1.

Ms.Arora, learned counsel who appears for respondent No.1, assures the Court that, as soon as the respondent No.2 submits its recommendations, the respondent No.1 will pass an order as expeditiously as possible, after following the process prescribed under the regulations. At this stage, Mr. Saran submits that any further delay will gravely prejudice the petitioner and, therefore, the respondent No.1 should be directed to take a final decision on the petitioner's application.

Accordingly, the petition is disposed of with a direction to respondent No.1 to take a final decision on the petitioner's application

on or before 07.05.2018, after considering the respondent No.2's recommendation. The pending applications also stand disposed of.

Needless to say that, in case the petitioner is aggrieved, it will be open to it to take legal recourse as permissible under law.

REKHA PALLI, J

APRIL 27, 2018

gm