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

+ **W.P.(C) 5569/2018**

HIMALAYAN INSTITUTE OF MEDICAL SCIENCES..... Petitioner

Through: **Mr.Sanjeev Agarwal & Mr.Ekansh
Agarwal, Advs.**

versus

UNION OF INDIA AND ANR. Respondents

Through: **Mr.Vikram Jetly, CGSC for R-1.
Mr.Vikas Singh, Sr. Adv. with Mr.T.
Singhdev, Mr.Tarun Verma,
Ms.Michelle Biakthansangi Das,
Ms.Puja Sarkar & mr.Abhijit
Chakravarty, Advs. for R-2.**

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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24.05.2018

Vide the present petition, the petitioner has impugned show-cause notice dated 20.04.2018 issued by respondent No.2. The petitioner has also impugned the assessment report which is claimed to be the basis for the issuance of the aforesaid show-cause notice.

After some arguments, learned counsel for the petitioner concedes that the petitioner has already submitted a reply to the aforesaid show-cause notice. The said fact is admitted by learned counsel for respondent No.1, who submits that, upon receipt of the reply to the show-cause notice, a hearing was given to the petitioner

by respondent No.1 and upon consideration thereof, the petitioner's application has been forwarded by respondent No.1 to respondent No.2 vide its letter dated 22.05.2018.

Mr.Vikas Singh, learned senior counsel, who appears for respondent No.2, also admits the aforesaid position and submits that the recommendation of respondent No.2 would be forwarded to respondent No.1 latest by tomorrow i.e. 25.05.2018.

In view of the aforesaid fact, this Court is of the opinion that at this stage, when the matter is still being considered by respondent No.1, it would not be appropriate to examine the legality of the assessment report or the show-cause notice impugned in the present petition. However, keeping in view the time schedule fixed under the Regulations, it is deemed appropriate to direct respondent No.1 to take a final decision on the petitioner's application and representation by passing a reasoned and speaking order on or before 28.05.2018.

Needless to say, this Court has not examined the merits of the challenge raised by the petitioner and in case the petitioner is aggrieved by any order passed by the respondents, it will be open for the petitioner to take legal recourse as permissible under law on all grounds, including the grounds taken in the present petition.

The petition is disposed of in the above terms.

A copy of this order be given **dasti** under the signatures of the Court Master.

REKHA PALLI, J

MAY 24, 2018

gm