

\$~59

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

+ **W.P.(C) 5475/2018 & C.M. Nos.21337-38/2018**

SAMBHRAM CHARITABLE TRUST Petitioner
Through: Mr.A.J. Bhambani, Sr. Adv. with
Ms.Vibhooti Malhotra Adv.
Mr.Bhuvnesh Satija, Adv.

versus

UNION OF INDIA AND ORS. Respondents
Through: Mr.Gaurang Kanth, Adv. for R-1.
Mr.T. Singhdev with Mr.Tarun
Verma, Ms.Biakthansangi Das,
Ms.Puja Sarkar & Mr.Abhijeet, Adv.
for R-2.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
% **22.05.2018**

At the outset, learned senior counsel for the petitioner submits that he has instructions to not press the prayer no. 3 in the present petition before this Court, and seeks leave to withdraw the said prayer with liberty to take appropriate proceedings in respect thereof.

Vide the present petition, the petitioner has impugned the inspection report dated 22.03.2018 given by respondent No.2 as also the minutes/recommendations of respondent No.2 arrived at in its Executive Council's meeting held on 24.03.2018. The petitioner has also sought a direction to respondent Nos.1 and 2 for renewing its letter of permission so as to allow it to admit students for the MBBS

course for the year 2018-2019.

Mr.A.J. Bhambani, learned senior counsel for the petitioner submits that immediately upon learning about the aforesaid impugned decision of respondent No.2 from the website of respondent No.2, the petitioner made a detailed representation dated 09.05.2018 to respondent No.1, which has not been decided till date. He submits that the impugned recommendation of the respondent No.2 is based on an inspection held on 22.03.2018, which was a restricted holiday in the State of Karnataka, on which date no inspection could be carried out as per the Regulations.

Mr.Gaurang Kanth, Advocate, who appears on advance notice, for respondent No.1 submits that the respondent No.1 is already seized of the matter and prays for one week's time to pass a final order on the petitioner's pending application.

Having considered the submissions of learned senior counsel for the petitioner as also of the learned counsel for the respondents, I am of the view that since the respondent No.1 is already seized of the matter, it would be appropriate, at this stage, to direct the respondent No.1 to pass a reasoned and speaking order on the petitioner's pending application within four days, by considering its representation dated 09.05.2018 and after dealing with each and every contention raised in the said representation.

It is, however, made clear that this Court has not expressed any opinion on the merits of the case. Needless to say that the respondent No.1 would examine not only the aspects raised in the representation, but also the contentions raised by learned senior counsel for the

petitioner during the course of hearing.

Learned counsel for the respondent no.1 assures the Court that the final decision on the petitioner's application would as per the procedure be, positively uploaded on its website on the same day.

The petition stands disposed of with the above directions. The pending applications also stand disposed of.

Needless to say that in case, the petitioner is still aggrieved by the decision of the respondents, it will be open for the petitioner take legal recourse as permissible under law on all the grounds including the grounds raised in the present petition.

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

REKHA PALLI, J

MAY 22, 2018

gm