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

Date of decision: 18th December, 2018

+ W.P.(C) 13456/2018 & CM APPLs. 52403/2018, 52404/2018
53445/2018

SHIV SHAKTI AYUREVDIC COLLEGE AND HOSPITAL

..... Petitioner

Through Mr. Vivek Singh, Mr. Anupam
Mishra and Mr. Swastik Dalai,
Advts.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through Ms. Monika Arora, CGSC with
Mr. Vibhu Tripathi, Adv. for
UOI

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

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ORDER (ORAL)

18.12.2018

1. The limited prayer, in this writ petition, is for extension of the last date for admission of students to the BAMS course being conducted by the petitioner, till 20th December, 2018.

2. With the consent of learned counsel for parties, this writ petition is being disposed of.

3. On facts, there is no dispute.

4. The petitioner college was granted admission, by the Union of India, to admit 60 students to the BAMS course being conducted by it, for the academic year 2018-2019.

5. It is averred that, owing to confusion regarding the requirement of the fulfilment of the NEET, as a pre-condition for admission to the BAMS course, as contained in circular dated 12th February, 2018, several students did not apply for admission to the petitioner college.

6. The said circular, it is pointed out, was struck down by the High Court of Patna *vide* its judgment dated 10th December, 2018, in ***Vihar Private Unani Medical Colleges v. UOI, 2018 SCC Online Pat. 1857.***

7. Owing to this condition, 43 out of 60 seats, against which the petitioner college was permitted to admit students, remain vacant.

8. The petitioner, in these circumstances, requested the respondent to extend the last date of admission, which was fixed at 15th November, 2018. Failure, of the respondents, to accede to its request has resulted in the petitioner moving this Court, by means of the present writ petition.

9. The petitioner has annexed, with his writ petition, the orders passed by the Lucknow Bench of High Court of Allahabad in a batch of writ petitions, led by ***Pradeep Kumar Chaudhary v. UOI, Misc. Single No. 18464/2018***, (order dated 15th November, 2018) and the High Court of Calcutta in ***Majda Humayun v. UOI, WP 22539(W)/2018*** (order dated 5th December, 2018). These orders extended the last date for effecting admissions to the concerned courses till 20th December, 2018.

10. Ms. Monika Arora, learned CGSC for the Union of India, submits, on instructions, that the cut-off date, for effecting admissions, had repeatedly been extended on several occasions, and that it was not possible for her client to concede to a further extension. Be that as it may, given the fact that the cut-off dates for admissions in similar courses conducted by similarly placed colleges, have, by more than one High Court, been extended, till 20th December, 2018, and also keeping in view the fact that such extension would not prejudice either party, but would be in the overall interests of securing a larger number of students, I am of the view that the prayer of the petitioner deserves to be allowed.

11. Accordingly, the last date for effecting admission to the BAMS course, being conducted by the petitioner for the academic year 2018-2019 stands extended till 20th December, 2018.

12. The writ petition stands disposed of accordingly.

13. No order as to costs.

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

C. HARI SHANKAR, J

DECEMBER, 18, 2018

dsn