

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.5810/2019

Shri Gajanan Maharaj Sansthan Pusad, Tq. Pusad, Dist. Yavatmal, through
its Director and another

...Versus...

Union of India, through Secretary, Ministry of Ayurveda, Yoga and
Naturopathy, Unani, Siddha and Homeopathy (AYUSH), New Delhi-23 and
others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.C. Dharmadhikari, Counsel with Ms Ritu Jog, Counsel for petitioners
Shri U.M. Aurangabadkar, ASGI for respondent no.1
Shri N.C. Phadnis, Counsel for respondent no.2
Ms Tajwar Khan, AGP for respondent nos.3 and 5
Shri V.P. Panpalia, Counsel for respondent no.4
Shri N.S. Khubalkar, Counsel for respondent no.6

CORAM : SUNIL B. SHUKRE AND
MILIND N. JADHAV, JJ.

DATE : 18/09/2019

For the reasons separately recorded in the
judgment, following operative order is passed.

(i) The writ petition is allowed.

(ii) The impugned order dated 19/07/2019 is
hereby quashed and set aside. The matter is remanded back
to the respondent no.1 for its fresh consideration in
accordance with the Indian Medicine Central Council Act,

1970, the Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016 and all other applicable rules, circulars and notifications.

(iii) While taking the final decision, the respondent no.1 shall consider appropriately the visitation report submitted to it by the Central Council of Indian Medicine which was based upon its *suo motu* visit dated 12th and 13th April, 2019 and after giving due opportunity of hearing to the petitioners.

(iv) The decision shall be taken within two months from the date of the order.

(v) The petitioners are permitted to make admissions of 50 students in B.A.M.S. Course during the current academic session of 2019-2020.

Rule is made absolute in the aforesaid terms.
No order as to costs.

Steno copy of this order is granted.

JUDGE

JUDGE