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

Date of Decision: 24th September, 2019

+ LPA 629/2019

**NITISHWAR AYURVED MEDICAL COLLEGE
& HOSPITAL & ANR**

..... Appellants

Through: Mr. Prakash Sinha, Mr. Rakesh
Mishra & Ms. Marina Wheelar, Advs.

Versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr. Anil Soni, CGSC with
Mr. Devesh Dubey, Adv. & Mr. Amit Mehta, G.P.
for R-1
Ms. Archana Pathak Dave & Ms. Ankita
Chaudhary, Advs. for R-2

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

: **D.N. PATEL, Chief Justice (Oral)**

CM APPL.42820-42821/2019 (*Exemption*)

Allowed, subject to all just exceptions.

Applications stand disposed of.

LPA 629/2019

1. This Letters Patent Appeal has been preferred by the original petitioner against the **interim order** dated 18th September, 2019 (Annexure A-1) passed by the learned Single Judge in W.P.(C) 9750/2019. For ready reference, the said order reads as under:

“C.M. Nos. 40308-09/2019

1. *Allowed, subject to just exceptions.*

W.P.(C) 9750/2019 &c C.M. No.40307/2019

2. *No reply has been filed on behalf of the respondents. The respondents will file their reply within 10 days. Rejoinder thereto, will be filed before the next date of hearing.*

3. *Renotify the matter on 15.11.2019.”*

2. Looking into the aforesaid order, it cannot be said that this is an appealable order because it is, in fact, not a judgment or order at all which can be appealed against. Much has been argued by the learned counsel for appellant against the denial of the permission by respondent No.1 for giving admission to students in the Academic Year 2019-2020. The said order is dated 1st July, 2019 (Annexure P-23). This order was under challenge in the aforesaid Writ Petition and the learned Single Judge has issued a notice, granted time to file reply and rejoinder and adjourned to 15th November, 2019. The last date of giving admission is 30th September, 2019.

3. It appears from Annexure P-35 (page No.269) that the last date of first counselling, second counselling and mop-up round are over for admission in the Under Graduate Course BAMS. If any student has got admission lastly in a mop-up round, he can join latest by 21st September, 2019. The said date is also over by now.

4. So far as Post Graduate Courses are concerned, the time schedule for the same has been given at page No.271. As per this, the last date of first round of counselling is over. Similarly, the last date for second round of counselling is also over.

5. In view of the aforesaid facts, we see no reason to entertain this

Letters Patent Appeal, which is only against a date of adjournment. Hence, there is no substance in this appeal.

6. With the aforesaid observations, this Letters Patent Appeal is dismissed.

CM APPL.42819/2019

7. In view of the final order passed in LPA 629/2019, this application stands disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

SEPTEMBER 24, 2019

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