

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

**LPA-463-2020 (O&M)  
IN CWP-17513-2018  
Date of Decision: 27.07.2020**

World College of Medical Sciences and Research, Jhajjar, Haryana  
...Appellant

**Versus**

State of Haryana and others  
...Respondents

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH  
HON'BLE MR. JUSTICE SANT PARKASH**

**Present:** Mr. Gurminder Singh, Senior Advocate with  
Mr. J.S. Gill, Advocate for the appellant.

Mr. Sandeep Moudgil, Addl. A.G., Haryana  
for respondents No.1 to 3.

Mr. M.S. Longia, Advocate for respondent No.6.

Mr. Aseem Aggarwal, Advocate  
for Union of India-respondent No.7.

Mr. Sumeet Mahajan, Senior Advocate with  
Mr. Saksham Mahajan, Advocate  
for respondents No.17, 40, 42, 47, 49, 52, 64, 66, 76, 83,  
85, 91, 103, 105, 113, 135 and 151.

**JASWANT SINGH, J. (ORAL)**

[The aforesaid presence is being recorded through video conferencing since the  
proceedings are being conducted in virtual court.]

**CM-1185-LPA-2020**

Application is allowed, as prayed for. Exemption sought is  
granted.

**CM-1187-LPA-2020**

Application is allowed. Annexures A-1 to A-8 are permitted to  
be placed on record.

**Main appeal**

The instant *intra* court appeal is directed against the interim  
order dated 13.03.2020 passed by the learned Single Judge of this Court in

CWP No.17513 of 2018 titled as 'Yogita and others Vs State of Haryana and others.

In brief, the facts of the case are that the appellant is a private medical college situated at Jhajjar, Haryana and was permitted by the Medical Council of India to start the course for MBBS students commencing from the Session 2016-17 on grant of Essentiality Certificate issued by the Government of Haryana. The renewal of the permission for admissions of students for the next two Sessions 2017-18 and 2018-19 was declined by the Medical Council of India. Concededly, so is the position for the Session 2019-20.

It transpires that the students, who were admitted for the MBBS course for the Session 2016-17, were permitted to complete their courses at the same college in spite of deficiency in infrastructure, in compliance of the order dated 05.09.2017 passed by the Hon'ble the Supreme Court (P-3) in a writ petition filed by the petitioner-college. The students, who were admitted in the said Session, filed CWP No.17513 of 2018, inter alia, seeking transfer of their admissions to any Government Medical College on account of lack of proper facilities and infrastructure. Since during the pendency of the writ petition, some inspections have been carried out by the Medical Council of India, which were to be approved by the Central Government, the case was being adjourned to await the decision to be passed by the Central Government. However, in view of the lackadaisical approach of the Central Government, on the date of hearing on 13.03.2020, the learned Single Judge noticed that the Court was not inclined to await the result of the inspection reports any further while directing the arguments to be heard on the next date. It is the observations in the said interim order

dated 13.03.2020 passed by the learned Single Judge to the effect that no useful purpose would be served for awaiting such an opinion from the Central Government, which has led the said private college to file the present appeal.

After hearing the learned counsel for the parties, we find no illegality or infirmity in the interim order dated 13.03.2020 passed by the learned Single Judge, apart from the fact that no appeal would be maintainable against an interlocutory order. The parties are free to place on record anything which is material for adjudication, in accordance with law before the learned Single Judge.

At this stage, Mr. Asseem Aggarwal, learned counsel for Union of India, submits that a fresh inspection report dated 19.03.2020 furnished by the Medical Council of India, has been received by the Central Government on 24.07.2020. He submits that a proper decision on the said report would be positively taken within two weeks from today. Thereafter, whatever the consequences would follow, it would be open for the aggrieved parties to seek their remedy, in accordance with law.

In view of the above, we are not inclined to entertain the present Letters Patent Appeal and accordingly, the same is hereby dismissed. However, with the hope that, the Central Government would positively take appropriate decision on the said inspection report within the aforesaid time so as to give a burial to the litigation being prolonged unnecessarily.

**(JASWANT SINGH)**  
**JUDGE**

**(SANT PARKASH)**  
**JUDGE**

**27.07.2020**  
**mks**

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|----------------------------|----------|
| Whether speaking/reasoned: | Yes / No |
| Whether Reportable:        | Yes / No |