

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1361 OF 2021

Shri Bhagwan Homeopathic Medical
College and Indira Gandhi Memorial
Hospital, through its Principal

.. Petitioner

Versus

The Union of India and others

.. Respondents

Mr. A. N. Irpatgire, Advocate for the Petitioner.
Mr. A. G. Talhar, ASG for Respondent Nos. 1 and 2.
Mrs. P. V. Diggikar, AGP for Respondent Nos. 3 and 4.
Mr. M. D. Narwadkar, Advocate for Respondent No. 5.

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 09th February, 2021.

PER COURT:-

. The grievance of the petitioner is that the petitioner had complied with the deficiencies well within the stipulated time, however, the same are not yet considered by the respondent authorities.

2. The contention of Mr. Talhar, learned A.S.G. is that the deficiencies were not complied till the stage of part I. Some of the deficiencies are complied at the stage of hearing, same is not permissible.

3. We may not enter into the controversy as to the date when the

petitioner had complied with the deficiencies. It is for the authorities to consider the aspects of the petitioner.

4. Considering the word against the word, we relegate the petitioner to the authority concerned. The authority shall reconsider the case of the petitioner with regard to the grievance of reduction in intake capacity. The authority shall consider the case put forth by the petitioner and take decision afresh with regard to the intake capacity of the petitioner. The petitioner is at liberty to produce the additional documents on which the petitioner seeks to rely. The authority on consideration of the said documents may pass the order afresh.

5. The same shall be done expeditiously and preferably within a period of one (01) week from the date of submission of additional documents by the petitioner. It is made clear that, we have not decided any aspect of the matter on merits.

6. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.