

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1774 OF 2020

Ideal Foundation

...Petitioner

vs.

The Union of India & Ors.

...Respondents

Mr.Premalal Krishnan with K. Tiwari i/b for Petitioner.

Mr.A.R. Gole for Respondent No.1.

Mr.N.C. Walimbe, AGP for Respondent Nos.2 and 3.

**CORAM : S.C. GUPTE &
SURENDRA P TAVADE, JJ.**

DATE : 25 JANUARY 2021

P.C. :

The subject matter of controversy in the present petition concerns the Petitioner's application to the Respondents for permission to start a new BAMS college. One of the main challenges in the petition is to the letter of Ministry of Ayush dated 15 June 2018 purportedly conveying a policy decision not to receive fresh applications for starting new Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homeopathy Colleges for Academic Years 2019-20, 2020-21 and declaring the Ministry's resolve to review the decision after two years. It is not in dispute now that these instructions have since been reviewed by the Union and the Ministry has been allowing fresh applications to start these colleges for the Academic Year 2021-22 onwards. The Petitioner's application, after the policy was reviewed for starting a new BAMS college for the Academic Year 2021-22, has been duly received by Respondent No.1 union and has been forwarded to the Central Government of Indian Medicine for necessary action. It is

expected that the Central Council shall take appropriate decision on this application within a reasonable time.

2 The petition is, accordingly, disposed of by directing Respondent No.5 Council to take an appropriate decision on the Petitioner's application dated 31 August 2020 within a reasonable time to enable the Petitioner to start the course in good time for the Academic Year 2021-22.

(SURENDRA P TAVADE, J.)

(S.C. GUPTE, J.)