

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

CWP-21123-2019 (O&M)

Date of decision : 26.05.2022

Shri Dhanwantry Ayurvedic College & Hospital, Chandigarh

.....Petitioner

Versus

The Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Kanwal Goyal, Advocate,
for the petitioner.

Mr. Arun Gosain, Senior Govt. Counsel, UOI.

Mr. R.Kartikeya, Advocate,
for respondent No.2.

Mr. Sanjiv Ghai, Advocate,
for respondent No.3.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral)

This petition has been filed by the petitioner being aggrieved by the letters dated 03.07.2019 (Annexure P-1) and 31.07.2019 (Annexure P-2) vide which the intake capacity of the petitioner institution for the Under Graduate Course (UGC) was reduced from 60 to 50 seats. Certain conditions contained in the order dated 02.11.2017 (Annexure P-3) have also been sought to be quashed.

Vide an interim order dated 09.08.2019 passed by this Court, directions were issued to respondent No.1 - Union of India to allow the petitioner to admit the students for 60 seats provisionally, subject to decision of the present writ petition.

It is submitted by learned counsel for the petitioner that while complying with the aforesaid interim order, respondent No.1 – Union of India passed orders on 06.09.2019, subject to certain conditions.

Looking to the aforesaid fact as well as the fact that this petition was filed in the year 2019 and that the authorities concerned have to examine, inspect and thereafter take action in accordance with law in respect of sanctioning or increasing the intake capacity of the petitioner institution, the petition is disposed of directing the respondent – authorities to process the application and request of the petitioner for increasing its intake capacity in accordance with law and take a decision thereon keeping in mind the stipulations and parameters mentioned in the relevant law.

It is made clear that this Court has not expressed any opinion on the merits of the case and, therefore, the authorities would be at liberty to examine the matter taking all the facts and facets into consideration.

In the meanwhile, pursuant to the interim order dated 09.08.2019 passed by this Court, the letter dated 06.09.2019 issued by the Union of India would continue to remain in operation subject to final decision that is to be taken by the authorities.

(RAVI SHANKER JHA)

CHIEF JUSTICE

(ARUN PALLI)

JUDGE

May 26, 2022
ndj

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No