



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8722 OF 2024

1. Prasad Gramin Shikshan Sanstha
2. Wani Patil Homeopathy Medical College and Research Centre

VERSUS

1. The Union of India
2. Chair person/President

Ms. Rani Bharuka h/f Mr. B. B. Shelke, Advocate for the petitioner
Mr. R. B. Bagul, Advocate for respondent nos.1 and 2.

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CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE : 21.08.2024

PER COURT :

Petitioner-Institution is desirous of opening a homeopathy medical college and research centre. Since the the Medical Assessment and Rating Board for Homeopathy refused to grant requisite permission, it has stated to have preferred statutory appeal as provided in the regulations of 2011 on 27/05/2024 (Exhibit-C). Directions are solicited for early decision of the appeal.

2. Learned Advocate Mr. Bagul for respondent nos.1 and 2

submits that the communication page 20 (Exhibit -C) is addressed to the President of the Board instead of the National Commission for Hemeopathy.

3. The learned Advocate for the petitioners submits that indeed there is an error in addressing the communication to the President of the board instead of the Commission. She submits that the petitioners would prefer another appeal/representation appropriately addressed to the appellate authority and it may be considered within a stipulated time, for which the learned Advocate Mr. Bagul for the respondents agrees.

4. We dispose of the petition by permitting the petitioners to prefer appeal and address it to the appellate authority within a week and the appellate authority shall consider and decide it on its own merits within two weeks thereafter. However, it shall not be rejected only on the ground of limitation prescribed in the regulations.

(SHAILESH P BRAHME, J.)

(MANGESH S. PATIL, J.)

SSP