

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

**INTERIM APPLICATION NO.42 OF 2024  
IN  
WRIT PETITION NO.8096 OF 2023**

Shree Chatrapati Shivaji Education  
Society, Dharwad & Anr.

.. Petitioners

Versus

National Commission for Indian  
System of Medicine & Ors.

.. Respondents

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Mr.R.V. Pai, Senior Advocate a/w Mr.A.R. Pai, Ms.Siddhi Bhosale and  
Mr.Pravin Dabade i/by Mr.Ganesh Patil for the petitioners.

Mr.S.P Ganbavale a/w Kusha Lahankar for respondent no.1.

Mr.N.C. Walimbe, Addl.GP a/w Ms.Kavita Solunke, AGP for respondent  
no.2.

Mr.Rui Rodrigues a/w Mr.Ashutosh Mishra for respondent no.3-UOI.

Mr. Vishwajeet Mohite a/w Mr.Siddarth Kaspe for respondent nos.4 & 5.

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**CORAM : A. S. CHANDURKAR &  
JITENDRA JAIN, JJ.**

**DATE : 3<sup>rd</sup> January 2024**

**PC:-**

. We have heard learned counsel for the parties on the prayers made in Interim Application No.42 of 2024. It transpires from the earlier proceedings that pursuant to the inspection report, various shortfalls are pointed out that were existing at the petitioners' college.

2. On 24<sup>th</sup> December 2023 and 26<sup>th</sup> December 2023, the petitioner has communicated to the respondent no.1 that it has removed the shortfalls.

3. Considering this aspect, it was observed in the order dated 15<sup>th</sup> December 2023 that the respondent no.1 would examine whether the said shortfalls have been removed.

4. Learned counsel for the respondent no.1 has tendered a copy of the communication dated 2<sup>nd</sup> January 2024 indicating the response to the aforesaid order.

5. We find that the said communication is silent on the aspect as to whether the shortfalls indicated in paragraph 3 of the said communication have been removed or not.

6. The respondent no.1 shall therefore, file an affidavit setting out in clear terms as to whether the shortfalls in relation to the inspection report have been removed or not.

7. Stand over to 15<sup>th</sup> January 2024. To be heard along with Writ Petition No.5186 of 2023.

*JITENDRA JAIN, J.*

*A. S. CHANDURKAR, J.*