



106 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21241-2024 (O&M)

Date of decision: 29.08.2024

The White Medical College and Hospital (formerly known as Chintpurni
Medical College and Hospital

....Petitioner

Versus

Union of India and others

..Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Amarinder Singh, Advocate for the petitioner

Mr. Anil Chawla, Advocate for respondent no.1-UOI

Mr. Naresh Kumar, Advocate for respondent no.6

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. This writ petition has been filed under Article 226/227 of
the Constitution of India, praying for the following substantive reliefs:-

*“ii issue a writ of Mandamus or any
other writ, order direction, directing the respondents
to grant renewal permission to the petitioner institute
for 150 seats for admission to the MBBS Course for
Academic Year 2024-25.*

*iii. Issue a writ of Certiorari/setting
aside the letter no. Renewal/UGMEB/2023-727 dated
28.06.2024 issued by the respondents declining the
renewal permission to the petitioner institute and or*

*iv. Issue necessary directions to the
respondents to grant an opportunity of being heard
and then deciding the case of the petitioner on merits*



on parity with the other institutions to which the permission of renewal has been granted.”

2. The grievance of the petitioner-College is against the order dated 28.06.2024 refusing to grant renewal of 150 MBBS seats to it for the academic session 2024-25. The said order dated 28.06.2024 (Annexure P-1) has been passed by the Director, Under Graduate Medical Education Board. It is not disputed by the learned counsel for the petitioner that clause 9 of the Maintenance of Standards of Medical Education Regulations, 2023 envisages as under:-

“Appeal to NMC

A medical college or medical institution or any such aggrieved person may file an appeal before the Commission with an appropriate fee as specified against any order.

Provided, such an appeal is filed within sixty days of passing of such an order or lapse of time, as the case may be.”

3. Since the petitioner-College has an efficacious alternative statutory remedy of preferring an appeal against the impugned order (Annexure P-1) to the National Medical Commission, this Court refrains itself from entering into the merits of the case.

4. At this juncture, learned counsel for the petitioner informs the Court that an appeal has already been filed on 24.07.2024 before the National Medical Commission, which is pending consideration.

5. In view of above, this Court disposes of this petition without commenting upon the merits of the case with a direction to the



National Medical Commission that in case the appeal has already been filed, as stated by the learned counsel for the petitioner, then the same shall be decided as expeditiously as possible, preferably within a period of two weeks from the date of production of copy of this order.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

29.08.2024
rekha
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No