



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**901 WRIT PETITION NO. 8830 OF 2025
WITH
CIVIL APPLICATION NO. 7366 OF 2025
IN WP/8830/2025**

Ajeet Seeds Private Ltd., Thr Its Authorized Signatory And Another

VERSUS

Union Of India Thr Secretary And Others

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Mr. Rohan Shah, Senior Advocate a/w Mr. Jony John i/by Mr. Pratik A. Bhosle, Advocate for the Petitioners

Mr. S. S. Deve h/for Mr. Ajay G. Talhar, DSGI for Respondent No.1.

Mr. A. B. Girase, Government Pleader for the Respondents State

Mr. S. K. Kadam, Advocate for Respondent Nos. 2 and 3.

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**CORAM : MANISH PITALE &
Y. G. KHOBRADE, JJ.**

DATE : 22nd July, 2025

P. C. :

1. Heard Mr. Shah, learned senior counsel appearing for the petitioners.

2. This petition raises a frontal challenge to Regulation No. 6 of the Establishment of Medical Institutions, Assessment and Rating Regulations, 2023. The principal contention raised on behalf of the petitioners is that the said Regulation runs contrary to Section 28 of the National Medical Commission Act, 2019 and hence, it is ultra vires the provisions of the said Act.

3. We have considered the said submissions by referring to Sections 28, 56 and 57 of the said Act and in that context, the challenge raised to Regulation 6 of the said Regulations.

4. It is the contention of the petitioners that the impugned show cause notice issued by Respondent No.2 on the basis that Petitioner No.1, not being a 'Company' registered under Section 8 of the Companies Act, 2013, is not eligible to establish medical college, deserves to be set aside as it is issued on the basis of the impugned Regulation No.6 of the said Regulations.

5. It is brought to the notice of this Court that after filing of this Petition, the show cause notice has fructified into a final order of disapproval against the petitioners, which has necessitated filing of an application for amendment bearing Civil Application No. 7366 of 2025. We are of the opinion that the application for amendment deserves to be granted to bring on record the subsequent event and to challenge the order of disapproval.

6. In view of the above, the application for amendment is allowed. Amendment be carried out within one week from today. The amended papers be served upon the respondents within one week.

7. Considering the contentions raised on behalf of the petitioners and taking note of the fact that the petitioners have invested substantially by setting up a 605 beds Hospital and they look forward to establishing a medical college, this petition needs to be heard and decided finally at the earliest possible.

8. Issue notice for final disposal, returnable on 26.08.2025.
9. Mr. Deve h/for Mr. A. G. Talhar, learned DSGI waives notice Respondent No.1 UoI, learned counsel Mr. S. K. Kadam waives notice for Respondent Nos. 2 and 3 and learned Government Pleader waives notice for Respondent No.4.
10. Additionally, the petitioners are permitted to privately serve Respondent No. 5 and to file affidavit of service within two weeks from today.
11. Reply affidavit shall be filed by the respondents on or before 19.08.2025. No further time shall be granted. Rejoinder, if any, be filed on or before 22.08.2025.
12. List the petition for final disposal on 26.08.2025, to be heard at 2.30 p.m.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)

JPChavan