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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 13297/2025 & CM APPL. 54549/2025**

GAYATRI VIDYA PARISHAD & ANR.Petitioners

Through: Mr. Sandeep Sethi and Mr. Amit Kumar, Sr. Advs. with Mr. Kaushal Gautam, Ms. Rekha Bakshi, Mr. Avijit Mani Tripathi, Ms. Vanshika Singh, Mr. Aditya Kumar and Mr. Himanshu Sehrawat, Advs.

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Syed Abdul Haseeb, CGSC for R-1/UOI.
Mr. T. Singhdev, Mr. Bhanu Gulati, Mr. Abhijit Chakravarty, Mr. Tanishq Srivastava, Ms. Yamini Singh, Mr. Sourabh Kumar, Mr. Vedant Sood, Ms. Ramanpreet Kaur and Ms. Anum Hussain, Advs. for NMC/R-2 to R-4.

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

ORDER

% **11.09.2025**

CM APPL. 54550/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 13297/2025

3. The present petition has been filed seeking following relief:



“a. Issue a writ, order, or direction in the nature of certiorari quashing the decision and order issued by the Respondent No. 3 contained in its Letter No. Renewal/UGMEB/2023-24/316 dated 18.07.2025 (Annexure P/1) as illegal, arbitrary and without jurisdiction; and

b. Issue a writ, order, or direction in the nature of certiorari quashing the decision and order issued by the Respondent No. 4 contained in public notice bearing No. N-22011/54/2024- Assessment Cell/MARB dated 14.07.2025 (Annexure P/2) as illegal, arbitrary and without jurisdiction; and

c. Issue a Writ of Mandamus or any Writ, Order or direction in the nature of Mandamus directing the Respondents to include the name of medical college of Petitioner, i.e. Gayathri Vidya Parishad Institute of Health Care and Medical Technology, Vishakhapatnam in the ongoing counselling process for admission to MBBS Course in academic session 2025-2026 qua 200 MBBS seats; and/or”

4. Inviting attention of the Court to the impugned order (Annexure P-1) Mr. Sandeep Sethi, learned senior counsel appearing on behalf of petitioners submits that *vide* said order, the Under Graduate Medical Education Board has withdrawn the conditional renewal of 200 MBBS seats granted to petitioners institution. He submits that the said decision has been predicated only on allegation that CBI has registered FIR No. RC2182025A0014 dated 30.06.2025 in which petitioner institution has been implicated.

5. He submits that in an identically placed matter, the Hon’ble Division Bench of this Court in an intra-court appeal being LPA 564/2025 titled as ***National Medical Commission vs. Index Medical College, Hospital and Research Centre & Ors.***, [Date of Decision: 04.09.2025] has passed certain directions whereby the National Medical Commission (NMC) has been allowed to satisfy itself by securing another inspection report from the Expert Committee and thereafter take an appropriate decision as to whether



the writ petitioner therein is to be permitted an intake for MBBS Course admission for the academic year 2025-26.

6. He submits that in the present case also, the impugned order came to be passed in view of the FIR bearing no. RC-2182025A0014 dated 30.06.2025, which was a reason for passing of an impugned order in the said case as well.

7. In view of the above, issue notice. Mr. Syed Abdul Haseeb, learned CGSC accepts notice on behalf of the respondent no.1/UOI. Likewise, Mr. T. Singhdev, learned counsel for the respondent nos. 2 to 4 accepts notice.

8. On a query posed by the Court as to whether the facts of the present matter are identical to the one in LPA 564/2025, the answer of Mr. T. Singhdev is in affirmative.

9. He, however, contends that this Court does not have the territorial jurisdiction. Further, the petitioner has an alternative efficacious statutory remedy of an appeal before the NMC, as well as, the Central Government. He also contends that the allegations made in the FIR are serious.

10. Mr. Sethi has handed over a copy of the judgment dated 04.09.2025 passed in LPA 564/2025 and having perused the same, this Court finds that the factual aspects of the present matter are identical to the one in LPA 564/2025.

11. In light of the facts in LPA (supra), the Hon'ble Division Bench had passed the following directions:

“27. Having regard to the over all facts and circumstances of the case as also the order passed by the Hon'ble Supreme Court in Madhuri Sewa Nyas (supra), we dispose of the instant Letters Patent Appeal as also the W.P.(C) No. 10890/2025 with the following directions:



I. The National Medical Commission shall satisfy itself by securing another inspection report from the Expert Committee by 09.09.2025 and thereafter shall take appropriate decision as to whether the petitioner – institution is to be permitted to take the intake of MBBS students for the academic session 2025-26.

II. If the National Medical Commission is satisfied about the compliance of the statutory norms, it shall ensure that adequate number of students strictly as per merit are provided for admission against the sanctioned seats by the body/ authority conducting the counselling.

III. We also clarify that the direction contained in this order shall have no bearing on the FIR registered by the CBI and the proceedings on the basis of the said FIR shall independently be carried out in accordance with law.

28. At this juncture, learned senior counsel for the appellant Commission has stated that at least 10 days' time be granted for ensuring compliance of this order for the reason that 5th, 6th and 7th September, 2025 are holidays.

29. Ordinarily, we would have acceded to such a prayer being made by the learned counsel representing the appellant-Commission, however, considering the fact that the second round of counselling is to commence on 10.09.2025, we have passed the directions as above. We also direct that all the authorities, including the panel of experts shall cooperate with each other to ensure timely compliance of this order."

12. Mr. Sethi urges that similar directions may be passed in the present petition.

13. As the parties are *ad idem* that the facts of the present petition are identical to the facts in LPA (supra), the present petition is also disposed of with the following directions:

a. The National Medical Commission shall satisfy itself by securing



another inspection report from the Expert Committee by 17.09.2025 and thereafter shall take appropriate decision as to whether the petitioner – institution is to be permitted to take the intake of MBBS students for the academic session 2025-26.

b. If the National Medical Commission is satisfied about the compliance of the statutory norms, it shall ensure that adequate number of students strictly as per merit are provided for admission against the sanctioned seats by the body/ authority conducting the counselling.

c. It is clarified that the direction contained in this order shall have no bearing on the FIR registered by the CBI and the proceedings on the basis of the said FIR shall independently be carried out in accordance with law.

d. It is further directed that all authorities including the panel of Experts shall cooperate with each other to ensure timely compliance of this order.

14. Order *dasti* under the Signatures of the Court Master.

VIKAS MAHAJAN, J

SEPTEMBER 11, 2025/dss