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

\# **CNR No. DLHC010382342026**

\+ W.P.(C) 14702/2026

AHMEDABAD DIAMOND ASSOCIATION MEDICAL TRUST & ANR.

.....Petitioners

Through: Mr. Ankit Jain, Senior Advocate and Mr Utkarsh Jaiswal, Adv

versus

NATIONAL MEDICAL COMMISSION & ORS.

.....Respondents

Through: Mr Raman Kapur Senior Advocate, Mr. Amit Meharia Adv., Mr Abinash Agarwal Adv., Mr Divyansh Singh Adv for R1
Mr. P.S. Singh, CGSC with Ms. Annu Singh, Ms. Shivangi Sharma, Adv. for R4-5/UOI

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

O R D E R

% 01.10.2026

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

> *"a. Issue a writ of CERTIORARI or any other writ, order or direction of a like nature quashing and setting aside the impugned Letter of Disapproval dated 24.06.2026 bearing No. N-22011/05/2026- Assessment Cell/MARB (8396608) passed by the Respondent No. 2, whereby the Petitioners' scheme/application No. NMC/UGN/2026-2027/0056 for the establishment of a new medical college, namely Sardar Patel Medical College & Research Centre, Kathwada, Ahmedabad, Gujarat, with*

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an annual intake of 150 MBBS seats for the Academic Year 2026-27 has been disapproved;

b. Issue a writ of CERTIORARI or any other writ, order or direction of a like nature quashing and setting aside the impugned First Appeal order bearing No. CDN-16013/6/2026-CDN-NMC, communicated to the Petitioners on 16.07.2026, passed by the Respondent No. 1;

c. Issue a writ of MANDAMUS or any other writ, order or direction of a like nature directing the Respondent No. 1 to decide the remand proceedings pursuant to the order dated 24.08.2026 passed by the Respondent No. 4 within a period of three days from the date of the order of this Hon'ble Court, treating the Petitioners' scheme as a valid scheme under Section 28(2) of the National Medical Commission Act, 2019, taking on record the Fire Safety Certificate dated 05.05.2026 and the Building Use Permission dated 23.06.2026, and without treating the time of submission of the Building Completion Certificate/Building Use Permission, the Fire Safety Certificate and the Occupancy Certificate of the Petitioner College as a ground for rejection or disapproval of the Petitioners' scheme;

d. Issue a writ of MANDAMUS or any other writ, order or direction of a like nature directing the Respondent Nos. 1 to 3 thereupon to conduct a comprehensive

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assessment/inspection of the Petitioner College and of its attached teaching hospital — whether physical, virtual or hybrid — within a period of three days from the decision in the remand proceedings;

e. Issue a writ of MANDAMUS or any other writ, order or direction of a like nature directing the Respondent Nos. 1 and 2 to take into consideration the inspection/assessment report so obtained and to take a reasoned and speaking decision upon the Petitioners' scheme/application No. NMC/UGN/2026-2027/0056, having regard to the criteria specified in Section 29 of the National Medical Commission Act, 2019, within a period of three days from the conclusion of the said inspection. ...”

2. For the reasons stated in the petition, issue notice.

3. Mr. Meharia and Ms. Singh, learned counsels, accept notice on behalf of the respondent Nos. 1 and 4-5 respectively.

4. Mr. Jain, learned senior counsel for the petitioners, states that a similar matter has already been decided by this Court. My attention has been drawn to an Order dated 25.09.2026 passed in ***LPA 784/2026*** titled ***National Medical Commission & Ors. v. Maa Mundeshwari School of Medicine Private Limited & Ors.***, wherein the Hon’ble Division Bench in paragraph No. 9 of the said Order observed as under:-

“9. For the reasons given in our order passed today in LPA 783/2026, we dispose of the instant Appeal as well with the following directions:

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i. The NMC shall decide the matter pursuant to the Remand Order within a period of one week from today.

ii. Depending on the outcome of the proceedings to be drawn and decided pursuant to the Remand Order, the inspection of the institution of the Respondent shall be conducted and thereafter, appropriate decision shall be taken by the authority concerned."

5. Since the facts of the present case are identical to the matter adjudicated by the Hon'ble Division Bench, hence, it is directed as under:-

(a) The NMC shall decide the matter pursuant to the Remand Order on or before 12.10.2026 taking into consideration Building Completion Certificate and Fire Safety Certificate submitted by the petitioner.

(b) Depending on the outcome of the proceedings to be drawn and decided pursuant to the Remand Order, the inspection of the petitioner Institution by the respondents shall be conducted thereafter and appropriate decision shall be taken by the authority concerned.

(c) The needful shall be done in compliance with the timelines to ensure that in case the petitioner turns out to be successful in the Remand Order, the petitioner Institution is in a position to participate in the third round of counselling.

6. With these directions, the petition stands disposed of.

JASMEET SINGH, J

OCTOBER 1, 2026/AS

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