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

\# **CNR No. DLHC010482312026**

\+ W.P.(C) 14808/2026 & CM APPLs. 69478-69479/2026

DR. SUJEET SHIVRAM & ORS. .....Petitioners

Through: Mr. Malak Bhatt, Ms. Sukanya Joshi and Mr. Shreyansh Chopra, Advocates.

versus

MEDICAL ASSESSMENT AND RATING BOARD FOR INDIAN SYSTEM OF MEDICINE & ORS. .....Respondents

Through: Mr. Kumar Prashant, Advocate.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

O R D E R

% 06.10.2026

1. By way of this petition under Article 226 of the Constitution, the petitioners, who have all been appointed as faculty members in Shridhar Atulkumar Jani Ayurvedic Medical College AND Hospital ["the College"], *inter alia*, challenge individual communications dated 09.09.2026, issued to them by the National Commission for Indian System of Medicine ["NCISM"].

2. By the impugned communications dated 09.09.2026, issued by the President of the Medical Assessment and Rating Board for Indian System of Medicine ["MARBISM"], NCISM, the teacher code of each of the petitioners was kept in abeyance for a period of one year, and a monetary penalty of Rs. 1,50,000/- was imposed upon each of them.

3. Further, by the impugned Office Memorandum dated 11.08.2026,

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issued by the Secretary, NCISM, the Board of Ethics and Registration, NCISM, was directed to refer cases of "*On-Paper Teachers*" to the concerned Registrars, who shall suspend their registration from the State/National Registers, consequently barring them from practising anywhere in the country, during the period of suspension.

4. I have heard Mr. Malak Bhatt, learned counsel for the petitioners, and Mr. Kumar Prashant, learned counsel for the respondents.

5. The impugned communications are primarily premised upon an inquiry conducted by the MARBISM in respect of the College, and consequent findings, *inter alia*, that the petitioners who were shown as regular teachers of the College were, in fact, "*On-Paper Teachers*" and were not discharging the required duties.

6. The parties have joined issue on the jurisdiction of the authorities which have issued the impugned communications to take the actions contemplated thereby, the legality of the procedure adopted in arriving at the impugned decisions, and on the merits of the decisions themselves.

7. In a similar matter, being W.P.(C) 13938/2026, the petition was disposed of by an order of this Court dated 23.09.2026, in the following terms:

> "*7. However, it is not necessary in the present case to enter upon the controversy in detail, as Ms. Dave, upon instructions, submits as follows:*
>
> *a. The impugned communications to the extent that, they contemplate withdrawal of the petitioners' respective teacher codes, imposition of monetary penalties, and suspension of their registrations from the State/National Registers, shall not be given effect. It is clarified that the inquiry conducted by MARBISM is not being withdrawn, but the consequential actions against the petitioners will not be acted upon.*
>
> *b. If the BER considers it necessary to do so, it will issue show cause notices to the concerned petitioners in terms of the*

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Regulation 27(r) and (t) of the National Commission for Indian System of Medicine (Ethics and Registration) Regulations, 2023, provide them an opportunity of hearing, and, thereafter, take a decision with regard to imposition of any monetary penalties and/or suspension of registrations from the State/National Registers, in accordance with law. Show cause notices, if any, will be issued at least ten days before the respective hearings.

c. As far as the withdrawal of the teacher codes of the petitioners is concerned, the decision will be taken by the appropriate statutory authority in accordance with law. In the event, such withdrawal is an automatic consequence of suspension of their registrations, no further hearing will be required in those cases.

8. As the impugned communications have been withdrawn in the terms of the above submission, no further orders are required in this petition. However, in the event of any adverse decision pursuant to the aforesaid exercise, Mr. Sherawat reserves the petitioners' rights to challenge the same on all grounds available to them, in fact and law, including those raised in this petition.

9. It is clarified this order is not intended to affect the position of the College, but of the petitioners herein, against whom the impugned decisions have been taken; the College is, in fact, not even a party to the petition. No decision taken in this order will therefore affect the rights and liabilities of the College in any manner. The impugned decisions are also not directed against the College, and if any action has been taken or is taken in future against the College, it will be open to the College to take appropriate remedies. This Court is not called upon to make any comment in that regard.

10. Accordingly, the writ petition, alongwith pending applications, stands disposed of in these terms."

8. Learned counsel for the parties state that the present petition may also be disposed of on the same basis.

9. In view of the above submission, the writ petition, alongwith pending applications, stands disposed of in the terms of the order dated 23.09.2026, passed in W.P.(C) 13938/2026.

PRATEEK JALAN, J

OCTOBER 6, 2026/"*pv*"/KA/

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