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

\# **CNR No. DLHC010509082026**

\+ W.P.(C) 15642/2026 & CM APPL. 73301/2026

SATYAM EDUCATIONAL HEALTH AND CHARITABLE TRUST & ANR.

.....Petitioners

Through: Mr. Kirtiman Singh, Sr. Adv Mr. Nipun Katyal, Adv., Mr.Nadeem Afroz, Adv., Mr. Manan Sharma, Adv, Mr. Shreeraj Singh, Adv Mr. Maulik Khurana, Adv , Mr. Ritiwik Saha, Adv

versus

NATIONAL MEDICAL COMMISSION & ORS.

.....Respondents

Through: Mr. Raman Kapur, Sr. Adv , Mr. Amit Meharia, Adv, Mr. Abinash Agarwal, Adv and Mr. Shashwat Roy, Adv for R1

Ms. Avshreya Pratap Singh Rudy, Adv. (CGSC) Ms. Usha Jamnal, Adv. Ms. Nyasa Sharma, Adv. Mr. Abhinav Mall, Adv Ms. Nishtha Dhall, Adv for UOI

**CORAM:**
**HON'BLE MR. JUSTICE JASMEET SINGH**

**O R D E R**

**% 28.10.2026**

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 another appropriate writ, order or direction quashing and setting aside Order No. V.11013/80/2026-ME-I dated 12.10.2026, reference I/3906139/2026, passed by Respondent No. 2 rejecting the Petitioners' second appeal under Section 28(6) of the NMC*

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*Act, 2019 and upholding the restriction to 50 MBBS seats for the Academic Year 2026-27.*

*(b) Issue a writ of certiorari or another appropriate writ, order or direction in the nature thereof, setting aside the Letter of Disapproval No. M-21011/06/2026- Assessment Cell/MARB (8409479) dated 20.07.2026 issued by MARB of Respondent No. 1;*

*(c) Issue a writ of mandamus or any other appropriate writ, order or direction in the nature thereof, setting aside the Order No. CDN-16013/6/2026-CDN-NMC dated 17.08.2026 passed by the First Appeal Committee of Respondent No. 1, to the extent it restricts the permission to an annual intake of 50 MBBS seats and declines permission for the remaining 100 MBBS seats for the Academic Year 2026-27;*

*(d) Issue a writ of Mandamus or any other appropriate writ, order or direction in the nature thereof, directing Respondent No. 1 to grant permission and issue a Letter of Permission to the Petitioners for the remaining 100 MBBS seats, i.e., for a total annual intake of 150 MBBS seats, for the Academic Year 2026-27, and to communicate the same forthwith to the concerned counselling authority for inclusion in the seat matrix;*

*(e) Direct Respondents Nos. 1 and 2 to communicate that permission forthwith to Respondent No. 3 and direct Respondent No. 3 to include the additional permitted seats in the appropriate remaining counselling/seat matrix for the*

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*Academic Year 2026-27 and provide eligible NEET-qualified candidates an effective opportunity to exercise choices for those seats, including a limited reopening or consequential adjustment of the counselling dates where legally permissible, subject to the governing admission cutoff and without disturbing completed lawful allotments in other institutions. …*"

2. The petitioner is aggrieved by the order dated 12.10.2026 passed by the respondent No. 2 wherein the petitioner's Second Appeal filed under Section 28 (6) of the NMC, Act 2019 was rejected, upholding the restriction of 50 MBBS seats for the Academic Session 2026-2027.

3. Mr. Singh, learned Senior Counsel for the petitioner, draws my attention to the Assessors' Report dated 18.06.2026 and urges that the assessors found no deficiency in the petitioner's Institute, hence, there was no reason for restricting the approval of the petitioner to 50 MBBS seats.

4. Additionally, he states that the impugned order does not provide any reasons as to why the intake of 50 MBBS seats has been allowed and additional 100 MBBS seats have not been granted.

5. Mr. Kapur, learned Senior Counsel for the respondent No. 1, on instructions, states that the respondent No. 1 is specialized body and in fulfilment of its obligation has decided and weighed the resources available with the petitioner to restrict the intake of the petitioner's Institute to 50 seats.

6. In somewhat similar circumstances, in the judgment titled ***Prasad Medical College and Hospital v. Union of India and Ors.,*** bearing W.P. (C) No. 14693/2026, I have already taken a view and directed the First

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Appellate Authority (in that case) to reconsider the question of grant of approval.

7. I am of the view that in the present case also, the said course commends itself as the impugned order does not show why the petitioner has been granted 50 MBBS seats and why the petitioner's application for 100 MBBS seats have been rejected. The report of the assessors has also not been discussed.

8. For the said reasons, it is directed that the Second Appellate Authority shall decide the appeal of the petitioner Institute within one week from today.

9. The time of one week has been granted in order to ensure that if some seats are available in the mop-up round, the petitioner shall be entitled to avail of it.

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

**JASMEET SINGH, J**

**OCTOBER 28, 2026/NR**

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