



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 7673 OF 2018

Jupiter Ayurved Medical College
Vs.
Union of India & Ors.

Office Notes, Office Memoranda of Coram, Court's or Judge's orders
appearances, Court's orders of directions
and Registrar's orders

Mr. S.D. Chopde, Advocate for the Petitioner.
Mr. S.A. Choudhari, Advocate for Respondent No.1.
Mr. N.C. Phadnis, Advocate for Respondent No.2.
Mr. Abhijeet Deshpande, Advocate for Respondent No.3.

CORAM : SMT. ANUJA PRABHUDESSAI AND
MRS. VRUSHALI V. JOSHI, JJ.

DATED : 30th NOVEMBER, 2023.

. Heard.

2. The Petitioner, Ayurvedic College, seeks direction to the Respondent No.1-Union of India to grant letter of permission to the Petitioner-College for the academic year 2018-19 and pending the disposal of this petition, stay the implementation of the order dated 11.10.2018 passed by the Union of India refusing permission to admit students for the academic year 2018-2019.

3. In view of the interim order dated 06.11.2018 passed by this Court, the Petitioner-College has admitted the students for BAMS course for the academic year 2018-19. Since, they were admitted belatedly, they could not appear for summer 2019 examination and as such they were required to appear for winter 2019 examination. The Statutory Body conducting the examination i.e. Maharashtra University of Health Science, Nashik had informed the Petitioner-

College that the examination of these students would be subject to the further orders of this Court.

4. The Maharashtra University of Health Science, Nashik has declared the result of BAMS first year examination on 20.02.2020, but did not declare the result of the students of the Petitioner-College. Therefore, the Petitioner brought this fact to the notice of this Court and the important development in the matter that the Respondent No.2-CCIM has conducted the inspection of the Petitioner-College on 10-11.04.2019 to re-assess the available facilities of teaching and practical training as well as to verify the compliance submitted by the College and found that there are no deficiencies remained with the Petitioner-College as per the impugned communication dated 11.10.2018 and as such the Respondent No.1 has issued communication dated 19.06.2019, thereby granting permission to the Petitioner-College to admit the students for the academic year 2019-20.

5. In view of the said communication, the students are admitted for the academic year 2019-20 and the College is running smoothly. In view of the above said interim order passed by this Court, admitted the students in the academic year 2018-19. The students admitted in the academic year 2018-19 are now in final year. The Petitioner-College has regularly made inspection of the Petitioner-College during the above said year and in inspection, it is found that the infrastructure and the facilities in the Petitioner-College are satisfactory. The Respondents-Authorities, therefore, granted permission to the Petitioner-College to admit the students in the academic sessions 2020-21, 2021-22 and 2022-23.

6. Pursuant to the said order, *post facto* permission has been granted to the Petitioner-College. Considering the aspect that the permission was granted for the preceding years as well as for the subsequent years from 2020-21 onwards, there is no reason to withhold permission for the academic year 2018-19.

7. Hence, the petition is allowed. The Respondent No.1 is directed to grant *post facto* permission to the Petitioner to admit students in Petitioner No.2-Institution for the academic year 2018-19.

8. The petition stands disposed of.

9. Interim applications, if any, stand disposed of.

(VRUSHALI V. JOSHI, J.)

(ANUJA PRABHUDESSAI, J.)

Vijay