NC: 2025:KHC:7731
WP No. 16622 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF FEBRUARY, 2025

BEFORE

THE HON'BLE MRS JUSTICE K.S. HEMALEKHA

WRIT PETITION NO. 16622 OF 2023 (EDN-RES)

BETWEEN:

1. FATHER MULLER CHARITABLE INSTITUTION,
FATHER MULLER ROAD, KANKANADY,
MANGALURU - 575 002.
REPRESENTED BY ITS ADMINISTRATOR,
FR. AJITH MENEZES,
S/O VICTOR MENEZES,
AGED ABOUT 45 YEARS.

2. FATHER MULLER COLLEGE OF NUIRSING,
FATHER MULLER ROAD, KANKANADY,
MANGALURU - 575 002.
REPRESENTED BY ITS PRINCIPAL,
SISTER JACINTHA D'SOUZA,
D/O RAYMOND D'SOUZA,
AGED ABOUT 61 YEARS,
(BENEFITS OF SENIOR CITIZENSHIP NOT CLAIMED)

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Location: HIGH
COURT OF
KARNATAKA

3. FATHER MULLER NURSING COLLEGE THUMBAY
THUMBAY, BANTWAL,
GHUMBAY - 574 143.
REPRESENTED BY ITS PRINCIPAL,
SISTER SELINAMMA DEVASIA,
D/O PAULOSE DEVASIA,
AGED ABOUT 54 YEARS.

...PETITIONERS

(BY SRI. MADHUSUDHAN R. NAIK., SENIOR ADVOCATE;
SMT. FARAH FATHIMA., FOR ADVOCATE;
SRI.RAJENDRA M.S., ADVOCATE)

AND:

1. STATE OF KARNATAKA,
   DEPARTMENT OF HEALTH AND FAMILY WELFARE,
   MEDICAL EDUCATION, M.S. BUILDING,
   BENGALURU - 560 001.
   REPRESENTED BY ITS ADDITIONAL
   CHIEF SECRETARY.

2. DIRECTORATE OF MEDICAL EDUCATION,
   BANGALORE MEDICAL COLLEGE AND RESEARCH
   INSTITUTE, KALASIPALYA, BENGALURU,
   KARNATAKA - 560 002.

3. KARNATAKA EXAMINATION AUTHORITY,
   18TH CROSS, SAMPIGE ROAD,
   MALLESHWARAM, BENGALURU - 560 012.
   REPRESENTED BY ITS EXECUTIVE DIRECTOR.

…RESPONDENTS

(BY SMT.MAMATHA SHETTY., AGA FOR R1 AND R2;
SRI.N.K.RAMESH., ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO PUBLISH THE SEAT MATRIX RESERVING 80 PERCENT SEATS TO THE STUDENTS BELONGING TO KARNATAKA CHRISTIAN MINORITIES UNDER (MC-I CATEGORY) AND IN THE EVENT IF MC-I CATEGORY STUDENT NOT BEING AVAILABLE UNDER THE SAID CATEGORY TO ALLOT SEATS TO CHRISTIAN MINORITY FROM OTHER STATES DURING THE COUNSELLING FOR B.Sc. NURSING COURSE FOR THE ACADEMIC YEAR 2023-24 ANNEXURE-A TO A6 AND ETC.,

THIS PETITION, COMING ON FOR DICTATION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS JUSTICE K.S. HEMALEKHA

ORAL ORDER

The petitioners are seeking for the following prayers:

"1. Issue writ in the nature of mandamus or any other appropriate writ, order or directions; directing the Respondents to publish the 'seat matrix' reserving 80%-'seats' to the students belonging to Karnataka Christian minorities; under (MC-I Category) and in the event if MC-I category student not being available under the said category, to allot seats to Christian Minority from other States during the counselling for B.Sc Nursing Course for the academic year 2023-24. Annexure A- A6.

2. Issue writ in the nature of mandamus or any other appropriate writ, order of directions declaring the action of the Respondents in not considering the representation dated 28.07.2022 and 24.07.2023 (Annexure A-A6) as highly arbitrary, illegal and violative of Article 19(1)(g), 21, 26 and 30 of the Constitution of India.

2(A). Issue writ in the nature of Certiorari or any other appropriate writ order or directions, declaring

the endorsement dated 8.08.2023 bearing No.DME/2023-24 issued by Respondent no.2 is bad in law and consequently direct the Respondents to treat the Petitioners as religious minorities for the purpose of grant of admissions in Petitioners institutions.(Annx N)

2(B). Issue writ in the nature of Declaration or any other appropriate writ order or directions, declaring that the State has no such executive power to over ride INC Regulations; deny constitutional protections under Article 30(1) of the Constitution and exercise of any such powers to counsel for admission is without authority of law and cannot be enforced as against these petitioners.

3. Grant such other relief that this Hon'ble Court may deem fit in the facts and circumstances of the case."

2. Petitioner No.1 Father Muller Charitable Institution is a registered society (hereinafter referred to as the 'society' for short) established and is being administered / managed by the members belonging to the Roman Catholic Diocese of Mangaluru from the year 1960, that the institution seeks to promote the interest and uplift the minority Roman Catholic Community in the State of

Karnataka, that petitioner Nos.2 and 3 are nursing colleges established by the society and that for "grant of admission" in the other professional educational institutions, including medical and homeopathic colleges are administered by the society and are treated as a Minority Education Institutions (‘MEI' for short) under the government order dated 14.09.1993 and the admission therein has been regulated accordingly.

3. It is the case of the petitioners that under the Government Order way back on 14.09.1993, the petitioners are duly recognized as a MEI and the petitioner's status as a minority institution is under the constitutional scheme for availing the protection/guaranteed rights under Article 30 (1) of the Constitution of India and is pursuant to the directions issued by the Apex Court in the case of ***Shahal H. Musaliar and another Vs. State of Kerala and others***[1] *(Shahal H.)* and post ***Unni Krishnan J.P. and others Vs.***

[1] 1993 (4) SCC 112

State of Andhra Pradesh and others[2] *(Unni Krishnan).* It is submitted that the government order dated 14.09.1993 the recognition as MEI of its institutions was subject to the review in light of the judgment that has been judicially reviewed, under ***Unni Krishnan's*** case.

4. It is stated that in light of the decision of the Apex Court in the case of ***T.M.A. Pai Foundation and others Vs. State of Karnataka and others***[3] (*T.M.A. Pai Foundation*) law being settled, there was no occasion for the State to "so review", on the contrary accepting its right under Article 30 (1) of the constitution and treating all the institutions of the society as MEI for the purpose of regulating admissions in the institutions.

5. Sri Madhusudhan R. Naik, learned senior counsel along with Smt.Farah Fathima learned Counsel for the petitioners submits that by the government order dated 13.04.2023, the Karnataka Examination Authority

[2] (1993) SCC 645

[3] 2002 (8) SCC 481

(KEA) is designated for conducting the examination and seat allotment in B.SC Nursing courses in Karnataka. Pursuant to the government order dated 13.04.2023, the KEA has conducted the entrance examinations and declared the results. Thereafter, respondent No.2 - Directorate of Medical Education published an information bulletin for the process of admission for the B.SC nursing course for the academic year 2023-24. It is contended that there is no reference made with respect to the "reservation" and the "allotment of seats" at the minority institutions. The petitioner Nos.2 and 3 - institutions made representation dated 24.07.2023 and 28.07.2023 to respondent No.2 regarding the seat matrix for admissions and allotment of seats to the B.SC nursing course for the academic year 2023-24. It is submitted that pursuant to which, the petitioners were informed that 80% of the seats in petitioner Nos.2 and 3 colleges will be under the "general merit" category and 20% of the seats are reserved for various categories and reservation for

"minorities" as requested by the petitioners cannot be considered.

6. It is submitted that during the pendency of the writ petition, by an interim order dated 03.08.2023 directed respondent No.2 to consider the representation of the petitioners and pass appropriate orders in accordance with law.

7. Respondent No.2 - Directorate of Medical Education by the impugned order dated 08.08.2023, rejected the petitioner's request to treat them as minority institutions and the petitioner has also challenged the impugned endorsement dated 08.08.2023. It is submitted by the learned senior counsel that the impugned endorsement dated 08.08.2023 is contrary to law and the very provisions of the Karnataka Professional Educational Institution (Recognition of Minority Educational Institutions terms and conditions) (Professional Education) Rules, 2016, ('2016 Rules' for short)) and by Rule 4 of 2016 Rules which clearly states that the professional educational

institutions which have been already declared as a MEI by the Department/State Government by a specific order, need not apply again for the declaration of minority status under these rules, but shall have to file "periodical reports" on compliance of the conditions specified in Sub-Rule 5 and 6 of 2016 Rules. It is submitted that the petitioners have already been declared as a MEI by the State Government, the 2016 Rules are not applicable to the petitioners and in terms of Rule 4 they need not seek for declaration of their status and hence, the stand of the respondents that the petitioners have not renewed their status in terms of the 2016 Rules is untenable.

8. *Per contra,* learned Additional Government Advocate appearing for the respondents submits that the petitioners who claims to be the MEI has failed to produce renewal status of the order passed by the Government on 04.09.1993 and in order to substantiate that it is a minority status, the renewal status is a prerequisite for claiming the relief as claimed for in the petition. It is submitted that in terms of Rule 4 of Rules 2016, the

existing institution which have already been conferred the minority status either by the state government or by the national minority commission is required to file periodic returns in respect of the members of the said institutions and the returns to be presented for verification to the competent authority i.e., respondent No.2 - Directorate of Medical Education, in order to ascertain whether such institution is to be conferred and continue its minority status. It is submitted that the minority status to be accorded to the institutions so concerned and not to his parent body and the minority status accorded to the parent body i.e., petitioner No.1, the institution in question cannot claim protection of status accorded to the parent body and thus, justifying the impugned endorsement submits that the same has been rightly rejected by the respondents herein, that the respondents without complying the requirement to file periodical returns to respondent No.2 cannot claim as a matter of right for allocation of seat matrix.

9. It is submitted that in term of Rule 13 of Rules 2016, the tenure of the minority status granted shall be valid for a period of 5 years thereof and that the petitioner apart from producing the minority status granted in the year 1993 that too in respect of the parent body has failed to substantiate or demonstrate by any documentary material of having the valid minority status and sought for dismissal of the petition.

10. Having heard the learned counsel for the parties, the point for consideration is; *whether the petitioner needs to seek a declaration of minority status under the 2016 Rules, when the petitioner has already been declared as a MEI by a specific order?*

11. Rule 4 of 2016 Rules reads as under:

> ***"4. Eligibility Criteria for Recognition**:- (1) Those Professional Educational Institutions which have been already declared as a Minority Educational Institution, by the department or by the State Government by a specific order or by the National Commission for Minority Educational Institutions, New Delhi or by the order of any Court*

need not apply again for declaration of minority status under these rules, but shall have to file periodical reports on compliance of conditions specific in sub-rule (5) and (6) and regarding any change in Management Committee or Governing Council of the Institution or any shortfall in the students strength belonging to minority community.

Provided that, such Professional Educational Institutions shall be subjected to compliance of Rule 10 and for renewal of the provisions of rule 12 and for periodical review by the competent authority about the compliance of the conditions specified in sub-rule (5) and (6).

(2) The new Professional Educational Institution applying for the Minority status shall be registered under the Act or as a Trust under the Bombay Public Trust Act, 1950 or as a Society under the Karnataka Societies Registration Act, 1960, or under any other relevant law. The institution shall indicate in its bye laws or rules that it has been formed to serve the interest of the minority community to which it belongs.

(3) A Professional Educational Institution established by a Religious Minorities notified by the Government of India and the Government of Karnataka, shall be eligible to apply for declaration of minority status to such Professional educational institution as Religious Minority Education Institution.

(4) A Professional Educational Institution established by the linguistic minorities shall be eligible to apply for the declaration of minority status to such institutions run by them, as Linguistic Minority Professional Educational Institutions.

5) At least two-third of the trustees or members of the managing committee of the Society, of the Professional Educational Institution shall belong to the Minority.

6) Out of Institution quota in an ***Institution not less than sixty six percent*** *of the students enrolled in the said Institution shall belong to the persons belonging to linguistic or religious minority of the state to which applicant institution belongs to."*

(Emphasis supplied)

12. A cursory reading of Rule 4 of 2016 Rules clearly state that the Professional Educational Institutions (PEI) which have already been declared as a MEI, by the department or by the State Government by a specific order or by the National Commission of Minority Educational Institution, New Delhi or by the order of any Court, need not apply again for declaration of minority status under these Rules, but shall have to file "periodical

reports" on compliance of the conditions specified in sub-rule 5 and 6 of 2016 Rules regarding any change in the Managing Committee or Governing Counsel of the Institutions or any shortfall in the students strength belonging to the Minority Community. The proviso to Rule 4 speaks of "renewal" and "periodical review", the proviso to the main Rule 4 cannot control or negate the Rule 4 which specifically states that already declared Educational Institutions which have already been declared as a MEI need not apply again for declaration of minority status under these Rules. Under the Government Order dated 14.09.1993 the State Government had conferred the MEI status to the petitioners Institutions and recognized the founder institution i.e., petitioner No.1 - Father Muller Charitable Institution "as a religious Minority Institution" and that was subject to the order that was passed in the case of ***Shahal H.,*** stated *supra*, in light of the petitioners being already declared as a MEI by the State Government, the 2016 Rules are not applicable to the petitioners and in terms of Rule 4 they need not seek for declaration of their

status and hence the stand of the respondent that the petitioners have not renewed by the status in terms of the Rules 2016 is unsustainable.

13. Pursuant to the direction issued by the Apex Court in the case of ***Shahal H.,*** stated *supra*, the State Government after being after satisfied that the Christian Community is duly recognized as one of the "religious minorities" in the State and petitioner No.1 - Society has been established and is being managed by members belonging to the Roman Catholic Diocese of Mangalore from the year 1960 and that the main objects of the Society is to promote the interests and uplift the minority Roman Catholic Community passed an order dated 14.09.1993 and recognizing petitioner No.1 - Society as a Religious Minority Institution and in the said circumstances, the question of reviewing it at any point of time does not arise.

14. The Apex Court in the case of ***T.M.A. Pai Foundation*** stated *supra* it is observed that that there is

no question of "any role or quota" for the State Government, in the matter of grant of admission in the private unaided institutions, more particularly in MEI, which have constitutional protection guaranteed under Article 30(1) of the Constitution of India and at para Nos.57 to 59, 65 and 66 held as under:

> *"57. We, however, wish to emphasize one point, and that is that inasmuch as the occupation of education is, in a sense, regarded as charitable, the Government can provide regulations that will ensure excellence in education, while forbidding the charging of capitation fee and profiteering by the institution. Since the object of setting up an educational institution is by definition "charitable", it is clear that an educational institution cannot charge such a fee as is not required for the purpose of fulfilling that object. To put it differently, in the establishment of an educational institution, the object should not be to make a profit, inasmuch as education is essentially charitable in nature. There can, however, be a reasonable revenue surplus, which may be generated by the educational institution for the purpose of development of education and expansion of the institution.*

58. For admission into any professional institution, merit must play an important role. While it may not be normally possible to judge the merit of the applicant who seeks admission into a school, while seeking admission to a professional institution and to become a competent professional, it is necessary that meritorious candidates are not unfairly treated or put at a disadvantage by preferences shown to less meritorious but more influential applicants. Excellence in professional education would require that greater emphasis be laid on the merit of a student seeking admission. Appropriate regulations for this purpose may be made keeping in view the other observations made in this judgment in the context of admissions to unaided institutions.

59. Merit is usually determined, for admission to professional and higher education colleges, by either the marks that the student obtains at the qualifying examination or school-leaving certificate stage followed by the interview, or by a common entrance test conducted by the institution, or in the case of professional colleges, by government agencies.

65. The reputation of an educational institution is established by the quality of its faculty and students, and the educational and other facilities that the college has to offer. The private

educational institutions have a personality of their own, and in order to maintain their atmosphere and traditions, it is but necessary that they must have the right to choose and select the students who can be admitted to their courses of studies. It is for this reason that in St. Stephen's College case [(1992) 1 SCC 558] this Court upheld the scheme whereby a cut-off percentage was fixed for admission, after which the students were interviewed and thereafter selected. While an educational institution cannot grant admission on its whims and fancies, and must follow some identifiable or reasonable methodology of admitting the students, any scheme, rule or regulation that does not give the institution the right to reject candidates who might otherwise be qualified according to, say, their performance in an entrance test, would be an unreasonable restriction under Article 19(6), though appropriate guidelines/modalities can be prescribed for holding the entrance test in a fair manner. Even when students are required to be selected on the basis of merit, the ultimate decision to grant admission to the students who have otherwise qualified for the grant of admission must be left with the educational institution concerned. However, when the institution rejects such students, such rejection must not be whimsical or for extraneous reasons.

> *66. In the case of private unaided educational institutions, the authority granting recognition or affiliation can certainly lay down conditions for the grant of recognition or affiliation; these conditions must pertain broadly to academic and educational matters and welfare of students and teachers – but how the private unaided institutions are to run is a matter of administration to be taken care of by the management of those institutions."*

15. The same was reiterated in the case of ***P.A. Inamdar and others Vs. State of Maharashtra and others***[4] (*P.A. Inamdar*) and at para Nos.91, 92, 96 and 133 to 138 held as under:

> *"91. The right to establish an educational institution, for charity or for profit, being an occupation, is protected by Article 19(1)(g). Notwithstanding the fact that the right of a minority to establish and administer an educational institution would be protected by Article 19(1)(g) yet the founding fathers of the Constitution felt the need of enacting Article 30. The reasons are too obvious to require elaboration. Article 30(1) is intended to instil confidence in minorities against any executive or*

[4] 2005 (6) SCC 537

legislative encroachment on their right to establish and administer educational institution of their choice. Article 30(1) though styled as a right, is more in the nature of protection for minorities. But for Article 30, an educational institution, even though based on religion or language, could have been controlled or regulated by law enacted under clause (6) of Article 19, and so, Article 30 was enacted as a guarantee to the minorities that so far as the religious or linguistic minorities are concerned, educational institutions of their choice will enjoy protection from such legislation. However, such institutions cannot be discriminated against by the State solely on account of their being minority institutions. The minorities being numerically less qua non-minorities, may not be able to protect their religion or language and such cultural values and their educational institutions will be protected under Article 30, at the stage of law-making. However, merely because Article 30(1) has been enacted, minority educational institutions do not become immune from the operation of regulatory measures because the right to administer does not include the right to maladminister. To what extent the State regulation can go, is the issue. The real purpose sought to be achieved by Article 30 is to give minorities some additional protection. Once aided, the autonomy conferred by the protection of

Article 30(1) on the minority educational institution is diluted as provisions of Article 29(2) will be attracted. Certain conditions in the nature of regulations can legitimately accompany the State aid.

92. As an occupation, right to impart education is a fundamental right under Article 19(1)(g) and, therefore, subject to control by clause (6) of Article 19. This right is available to all citizens without drawing a distinction between minority and non-minority. Such a right is, generally speaking, subject to the laws imposing reasonable restrictions in the interest of the general public. In particular, laws may be enacted on the following subjects : (i) the professional or technical qualifications necessary for practising any profession or carrying on any occupation, trade or business; (ii) the carrying on by the State, or by a corporation owned or controlled by the State of any trade, business, industry or service whether to the exclusion, complete or partial of citizens or otherwise. Care is taken of minorities, religious or linguistic, by protecting their right to establish and administer educational institutions of their choice under Article 30. To some extent, what may be permissible by way of restriction under Article 19(6) may fall foul of Article 30. This is the

additional protection which Article 30(1) grants to the minorities.

96. Such definition of minority resolves one issue but gives rise to many a questions when it comes to defining "minority educational institution". Whether a minority educational institution, though established by a minority, can cater to the needs of that minority only? Can there be an enquiry to identify the person or persons who have really established the institution? Can a minority institution provide cross-border or inter-State educational facilities and yet retain the character of minority educational institution?

133. So far as the minority unaided institutions are concerned to admit students being one of the components of "the right to establish and administer an institution", the State cannot interfere therewith. Up to the level of undergraduate education, the minority unaided educational institutions enjoy total freedom.

134. However, different considerations would apply for graduate and postgraduate level of education, as also for technical and professional educational institutions. Such education cannot be imparted by any institution unless recognised by or affiliated with any competent authority created by law, such as a university, Board, Central or

State Government or the like. Excellence in education and maintenance of high standards at this level are a must. To fulfil these objectives, the State can and rather must, in national interest, step in. The education, knowledge and learning at this level possessed by individuals collectively constitutes national wealth.

135. Pai Foundation [(2002) 8 SCC 481] has already held that the minority status of educational institutions is to be determined by treating the States as units. Students of that community residing in other States where they are not in minority, shall not be considered to be minority in that particular State and hence their admission would be at par with other non-minority students of that State. Such admissions will be only to a limited extent that is like a "sprinkling" of such admissions, the term we have used earlier borrowing from Kerala Education Bill, 1957 [1959 SCR 995 : AIR 1958 SC 956] . In minority educational institutions, aided or unaided, admissions shall be at the State level. Transparency and merit shall have to be assured.

136. Whether minority or non-minority institutions, there may be more than one similarly situated institutions imparting education in any one discipline, in any State. The same aspirant seeking admission to take education in any one

discipline of education shall have to purchase admission forms from several institutions and appear at several admission tests conducted at different places on the same or different dates and there may be a clash of dates. If the same candidate is required to appear in several tests, he would be subjected to unnecessary and avoidable expenditure and inconvenience. There is nothing wrong in an entrance test being held for one group of institutions imparting same or similar education. Such institutions situated in one State or in more than one State may join together and hold a common entrance test or the State may itself or through an agency arrange for holding of such test. Out of such common merit list the successful candidates can be identified and chosen for being allotted to different institutions depending on the courses of study offered, the number of seats, the kind of minority to which the institution belongs and other relevant factors. Such an agency conducting the common entrance test ("CET" for short) must be one enjoying utmost credibility and expertise in the matter. This would better ensure the fulfillment of twin objects of transparency and merit. CET is necessary in the interest of achieving the said objectives and also for saving the student community from harassment and exploitation. Holding of such common entrance test followed by centralized counseling or, in other words, single-

window system regulating admissions does not cause any dent in the right of minority unaided educational institutions to admit students of their choice. Such choice can be exercised from out of the list of successful candidates prepared at CET without altering the order of merit inter se of the students so chosen.

137. Pai Foundation [(2002) 8 SCC 481] has held that minority unaided institutions can legitimately claim unfettered fundamental right to choose the students to be allowed admission and the procedure therefore subject to its being fair, transparent and non-exploitative. The same principle applies to non-minority unaided institutions. There may be a single institution imparting a particular type of education which is not being imparted by any other institution and having its own admission procedure fulfilling the test of being fair, transparent and non-exploitative. All institutions imparting same or similar professional education can join together for holding a common entrance test satisfying the abovesaid triple tests. The State can also provide a procedure of holding a common entrance test in the interest of securing fair and merit-based admissions and preventing maladministration. The admission procedure so adopted by a private institution or group of institutions, if it fails to

satisfy all or any of the triple tests, indicated hereinabove, can be taken over by the State substituting its own procedure. The second question is answered accordingly.

138. It needs to be specifically stated that having regard to the larger interest and welfare of the student community to promote merit, achieve excellence and curb malpractices, it would be permissible to regulate admissions by providing a centralised and single-window procedure. Such a procedure, to a large extent, can secure grant of merit-based admissions on a transparent basis. Till regulations are framed, the Admission Committees can oversee admissions so as to ensure that merit is not the casualty."

16. Pursuant to the directions of the Apex Court in the case of ***T.M.A. Pai Foundation*** and ***P.A. Inamdar*** stated *supra*, the Government has enacted the Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006 (Act No.8/2006), which provides for "reservations" / "special provisions" in respect of admission to educational institutions, including private educational institutions established and being administered by the minorities.

17. Petitioner No.1 - Society has been categorized as a MEI. The self-financed Institutions, Private unaided Institutions of petitioner No.1 - Society have to be categorized as a MEI and the contention of the learned AGA that the parent body has only been accorded the status of MEI and not the institutions falls to ground. For the foregoing reasons the points framed for consideration is answered in the affirmative and this Court pass the following:

ORDER

i. The writ petition is ***allowed.***

ii. The impugned endorsement dated 08.08.2023 issued by respondent No.2 - Directorate of Medical Education is hereby ***quashed.***

iii. Petitioner No.1 – Society along with the institutions of the Petitioner No.1 - Society is recognised as a MEI. The petitioner need not apply for the declaration of minority status under the Rule 4 in light of the petitioner being

declared by the State Government by a specific order and in light of the decision of the Apex Court in case of ***Shahal H.,*** stated *supra*, however the petitioner shall file "periodic reports" in compliance of the conditions as indicated in Rule 5 and 6 of 2016 Rules.

Sd/-

JUSTICE K.S. HEMALEKHA

KVR
List No.: 1 Sl No.: 51