

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

Writ Petition(s)(Civil) No(s). 1271/2020

PARITRAN MEDICAL COLLEGE AND HOSPITAL,  
DEOGHAR (JHARKHAND) & ANR.

Petitioner(s)

VERSUS

NATIONAL MEDICAL COMMISSION & ANR.

Respondent(s)

O R D E R

This Writ petition is filed by Paritran Medical College and Hospital challenging rejection of the letter of permission for starting MBBS course for the year 2020-21.

The first Inspection was done by the Medical Council of India on 19<sup>th</sup> and 20<sup>th</sup> December, 2019. The compliance report to the deficiencies found in the said inspection was filed by the petitioner - College on 18.8.2020 after the scheduled dates fixed by this Court in the case of *Royal Medical Trust v. Union of India*, (2015) 10 SCC 19. The second verification of the compliance report was carried out on 22.09.2020.

It was reported by the Management that the Residents and the Faculty Members were on Covid Duty. The complaint of the petitioner is that in spite of appointment of sufficient faculty members, permission was not granted to the petitioner to start the medical college on the ground of shortage of faculty knowing fully well that the faculty members and residents were on Covid duty.

Mr. Gaurav Sharma, learned counsel for the respondent-National Medical Commission submitted that the contention of the petitioner that all the residents and faculty members are not present in the Hospital and the Medical College cannot be accepted and particulars of such of those faulty members and residents on Covid duty were not given by the petitioner inspite of repeated requests.

We are not inclined to pass a favourable order permitting the petitioner to start the first year MBBS Course 2020-21. However, liberty is given to the petitioner to submit a fresh application for the next academic year which shall be considered in accordance with law.

The writ petition is, accordingly, dismissed.

.....J.  
(L. NAGESWARA RAO)

.....J.  
(HEMANT GUPTA)

.....J.  
(AJAY RASTOGI)

New Delhi  
December 11, 2020.

ITEM NO.27                      Court 4 (Video Conferencing)                      SECTION X

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

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(FOR ADMISSION and IA No.114174/2020-EXEMPTION FROM FILING O.T. and  
IA No.114173/2020-APPROPRIATE ORDERS/DIRECTIONS )

Date : 11-12-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MR. JUSTICE HEMANT GUPTA  
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s)      Mr. Devashish Bharuka, AOR  
                                    Mr. Justine George, Adv.

For Respondent(s)      Mr. Gaurav Sharma, AOR  
                                    Mr. Prateek Bhatia, Adv.  
                                    Mr. Dhawal Mohan, Adv.

Mr. Aman Lekhi, ASG  
Mr. Guarmeet Singh Makker, AOR  
Mr. Akshay Amritanshu, Adv.  
Mr. Harish Pandey, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The Writ Petition is dismissed in terms of the signed  
order.

Pending applications, if any, shall stand disposed of.

(INDU MARWAH)  
COURT MASTER (SH)

(ANAND PRAKASH)  
BRANCH OFFICER

(SIGNED ORDER IS PLACED ON THE FILE)