

RAMESHWAR DAS KEDIA HOMOEOPATHIC MEDICAL COLLEGE & HOSPITAL



At.+Po : Bara Bariyarpur (NH-28A), Motihari, East Champaran, Bihar, PIN-845401

(Recognized by C.C.H., New Delhi & Ministry of AYUSH, Govt. of India)

Affiliated with B.R.A. Bihar University, Muzaffarpur)

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Ref. No. RDK/N-10/2022

Date 25.03.2022

Admission Notice

For the Academic Session 2021-22

It is notified to all that Rameshwar Das Kedia Homoeopathic Medical College & Hospital, Motihari has been permitted to participate in the ongoing counselling for admission, which is being conducted by B.C.E.C.E Board, Govt. of Bihar, Patna for taking admission in I-BHMS course in academic session 2021-22 by virtue of the order passed by Hon'ble High Court of Delhi, New Delhi dated 23.03.2022 vide Writ Petition No- WP (C)-4706/2022, CM APPL 14083/2022.


25/03/22

Principal
PRINCIPAL
R.D.K. Homoeopathic
Medical College & Hospital
Motihari, East Champaran

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

+ W.P.(C) 4706/2022, CM APPL. 14083/2022 -Stay.

RAMESHWAR DAS KEDIA HOMOEOPATHY MEDICAL
COLLEGE AND HOSPITAL Petitioner

Through Mr. K. P. Upadhyay, Mr. Shailesh
Tiwari, Ms. Pniki Kumar, Mr.
Sridhan Mishra, Advs.

versus

UNION OF INDIA & ANR.

..... Respondents

Through

Ms. Amrita Prakash, Adv.for R-1

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

23.03.2022

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CM APPL. 14084/2022 -Ex.

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 4706/2022, CM APPL. 14083/2022 -Stay.

3. The petitioner has approached this Court assailing the denial order dated 17.12.2021 passed by respondent no.2 whereby it has refused to grant permission to the petitioner for continuation of 50 UG seats for BHMS course for the academic session 2021-22.
4. Learned counsel for the petitioner submits that the petitioner college is running since 1979 and has duly complied with all the regulations. He submits that the impugned order has been passed without considering the list of faculty members furnished by the petitioner and

is therefore clearly perverse.

5. He further submits the petitioner has already preferred a first appeal before the respondent no.1 on 10.02.2022, which has not yet been decided till date. In the meanwhile, since the counselling for admission to BHMS course in the State of Bihar is commencing from 25.03.2022, , the petitioner may be granted permission to participate in the counselling.
6. Issue notice. Ms. Amrita Prakash, accepts notice on behalf of respondent no.1.
7. Upon the petitioner taking steps, issue notice to the respondent no.2 through all permissible modes, returnable on the next date.
8. A perusal of the impugned order shows that the denial order has been passed primarily on the ground that the petitioner is having only two faculty members as against the stipulated requirement of 28 faculty members. However, learned counsel for the petitioner has drawn my attention to annexure P-10 which prime facie shows that the petitioner has the necessary number of faculty members.
9. In the light of the aforesaid and taking into the account the fact that the petitioner college has been running for the last many years, grave and irreparable prejudice will be caused not only to the petitioner but also to the students, in case, it is not permitted to participate in the ongoing counselling during the pendency of its first appeal before the respondent no.2.
10. Accordingly, while granting four weeks time to the respondents to file counter affidavit and two weeks to the petitioner to file rejoinder thereto, it is directed that till the next date, the petitioner will be

permitted to participate in the ongoing counselling for the academic session 2021-22. The same would, however, be subject to the outcome of the present writ petition. The petitioner will display a notice on its website informing the general public that its participation in the ongoing counselling will be subject to the outcome of the present petition.

11. Needless to state that this permission will not create any special equities in favour of the petitioner.
12. List on 23.05.2022.
13. It is expected that in the meanwhile, the respondent no.2 will expeditiously decide the petitioner's pending appeal and a copy thereof will be placed on record.

REKHA PALLI, J

MARCH 23, 2022

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