



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Civil Writ Petition No. 4856/2022

Federation Of The Raj. Homoeopathic Med. College, Homeopathic Medical Colleges, Through Its Authorized Signatory Dr. Atul Kumar Singh S/o R.d. Singh, Aged About 52 Years, Presently Working As Director Mangilal Nirban Homeopathic Medical College And Research Institute, M.n. Hospital Campus, Near Karni Singh Stadium, Bikaner.

----Petitioner

Versus

The Union Of India, Through The Secretary, Ministry Of Ayurveda, Yoga And Naturopathy, Unani, Siddha And Homeopathy (Ayush), B-Block, Gpo Complex, Ina, New Delhi-110023.

The State Of Rajasthan, Through The Principal Secretary, Department Of Ayurveda And Indian Medicine, Government Of Rajasthan, Secretariat, Jaipur.

3. The Ug/pg Ayush Counseling Board, Rajasthan 112-113, 1St Floor, Administrative Building, Dr. Sarvapalli Radha Krishnan Rajasthan Ayurved University, Nagaur Road, Karwar, Jodhpur Through Its Chairman.
4. The National Commission For Homeopathy, Jawaharlal Nehru Bhartiya Chikitsa Evam Anusandhan Bhawan, 61-65, Institutional Area, Opp. D Block, Janakpuri, New Delhi Through Its Registrar.
5. Dr. Sarvapalli Radha Krishnan Rajasthan Ayurved University, Nagaur Road, Karwar, Jodhpur Through Its Registrar.

----Respondents

For Petitioner(s) : Mr. Akhilesh Rajpurohit.
For Respondent(s) : Mr. Sandeep Bhandawat.

**HON'BLE MR. JUSTICE SANDEEP MEHTA
HON'BLE MR. JUSTICE FARJAND ALI**

Order

04/04/2022



By way of this writ petition, the petitioner Federation seeks to assail the validity of the Notifications dated 14.12.2018 and 19.06.2019 and crave a consequential direction permitting the member colleges of the petitioner to take admission of non-NEET qualified students in the BHMS Course, in case NEET qualified students are not available.

Shri Akhilesh Rajpurohit, learned counsel representing the petitioner placed reliance on the Delhi High Court's Judgment in the case of Priyanshu Undaviya & Ors. vs. Union of India & Ors.- WP(C) 451 of 2022, on 25.02.2022 whereby, the above referred notifications were quashed and struck down and directions have been given to allow the colleges to admit the students in the Homeopathy stream in case seats are still available after NEET qualified students have been adjusted.

The matter requires consideration.

Issue notice of the writ petition as well as stay application to the respondents. Shri Sandeep Bhandawat appears on behalf of respondents Nos.3 and 5. Thus, notices be issued to respondents Nos.1, 2 and 4 only.

In the meantime, the member colleges of the petitioner shall be allowed to take admission of those students who are not NEET qualified in BHMS course (Homeopathy Stream) subject to the condition that the NEET qualified students are not available for admission in the said course.

(FARJAND ALI),J

(SANDEEP MEHTA),J

88-Tikam/-