



\$~64

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 19408/2025 & CM APPL. 80867/2025

RADHA GOVIND INSTITUTE OF MEDICAL SCIENCES

.....Petitioner

Through: Mr. Avadh Bihari Kaushik and Mr.
Rishabh Kumar, Advocates.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Vinay Yadav, CGSC with Ms.
Kamna Behrani, Advocate and Mr. Vipul Kumar,
Government Pleader for R-1.

Mr. Kirtiman Singh, Senior Advocate with Mr. T.
Singh Dev, Mr. Bhanu Gulati and Mr. Sourabh
Kumar, Advocates for R-2 to R-4.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

22.12.2025

%

1. This writ petition is filed on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

“(A) Issue a writ of Certiorari or any other writ, order or directions thereby quashing and setting aside the impugned orders namely; order dated 17.12.2025 (ANNEXURE-P-1) passed by the Central Government/respondent No.1 rejecting petitioner’s second appeal filed under Section 28(6) of the NMC Act, 2019; order dated 27.08.2025 (ANNEXURE-P-2) passed by the Appeal Committee of National Medical Commission/respondent No.2 rejecting petitioner’s First Appeal filed under Section 28 (5) of the NMC Act, 2019 and impugned Letter of Disapproval dated 07.07.2025 (ANNEXURE-P-3) issued by Medical Assessment & Rating Board/respondent No.3 herein whereby petitioner’s request to grant permission to establish a medical college with 150 intakes of MBBS Course students has been rejected in most illegal, arbitrary and discriminatory manner.

(B) Issue a writ of Mandamus or any other writ, order or directions thereby declaring that the petitioner’s Consent of Affiliation dated 24.07.2025 (ANNEXURE-P-12) and Essentiality Certificate dated



08.10.2025 (ANNEXURE-P-16) have validly been filed during the appeal proceedings and thus, the same deserve to be considered.

(C) Issue a writ of Mandamus or any other writ, order or directions thereby declaring respondent No.1, 2 and 3 to grant/issue the Letter of Permission (LOP) to the petitioner for establishment of proposed medical college with an intake of 150 MBBS students or of any other/lesser number of students, as may be deemed fit, for the Academic Year 2025-26.”

2. Issue notice.
3. Counsels, as above, accept notice on behalf of Respondent No. 1 and Respondents No. 2 to 4.
4. Counter affidavits be filed within four weeks from today. Rejoinders, if any, be filed within a week thereafter.
5. Mr. Kirtiman Singh, learned Senior Counsel for Respondents No. 2 to 4 submits that no interim order can be granted at this stage permitting the Petitioner College to participate in the counselling pursuant to notice dated 17.12.2025, relied upon by the Petitioner since the counselling relates to seats lying vacant due to non-joining/non-reporting after completion of stray vacancy round. He further submits that in W.P.(C) 16639/2025, a categorical stand was taken on behalf of Ministry of Health and Family Welfare that no new seats or new colleges will be added in this special round of counselling.
6. In light of the stand taken by the Respondents, no interim order can be granted at this stage permitting the Petitioner College to participate in the special counselling round owing to notice dated 17.12.2025.
7. List for hearing on 27.01.2026.

JYOTI SINGH, J

DECEMBER 22, 2025/RW