



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

PUBLIC INTEREST LITIGATION NO.33 OF 2024

Indian Chest Society, Thr. Treasurer Dr Rajesh Swarnkar and anr.

-vs-

Union of India, Thr. Secretary, Ministry of Health and Family Welfare, New Delhi and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri T. D. Mandlekar, Advocate for petitioners.
Shri N. S. Deshpande, DSGI for respondents.

CORAM : BHARATI DANGRE AND ABHAY J. MANTRI, JJ.

DATE : September 25, 2024

1. Despite specific directions issued on 04/09/2024 with an intimation forwarding through the Union of India i.e. respondent No.2-National Medical Commission and respondent No.3-Undergraduate Medical Education Board have failed to mark their presence.
2. Since the issue involved in the present Public Interest Litigation is of a great significance particularly, at this stage, when the admission process of the Undergraduate and Postgraduate is on and the grievance of the petitioners is that despite the three streams i.e. Department of Respiratory Medicine, Physical Medicine and Rehabilitation and Emergency Medicine having been specifically directed to be included and it is made mandatory that every Medical College and Medical Institution approved for MBBS admissions shall have these departments, in the Notification issued by the National Medical Commission, (Undergraduate Medical Education Board) on 16/08/2023, these three departments are conspicuously absent.
3. In the wake of urgency expressed, we deem it appropriate to issue fresh notice to the respondent Nos.2 and 3 and permit the petitioners to have it served by taking Hamdast. In addition, the notice is also permitted to be served by E-mail in terms of Rule 6 of Chapter-3

of the Bombay High Court Service of of Processes by Electronic Mail Services (Civil Proceedings) Rules, 2017 with an appropriate affidavit being filed. We expect the entire exercise to be undertaken within a period of one week.

4. Re-notify to 04/10/2024.

(Abhay J. Mantri, J.)

(Bharati Dangre, J.)