

**IN THE HIGH COURT OF MANIPUR  
AT IMPHAL**

**WP(C) No. 146 of 2026 with  
MC(WP(C) No. 151 of 2026**

Shija Academy of Health Sciences

*.....Petitioner/s*

- Versus -

State of Manipur & 4 Ors.

*.... Respondent/s*

BEFORE  
**HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

**Order**

**20.02.2026**

[1] Heard Mr. HS. Paonam, learned senior counsel assisted by Mr. S. Gunabanta, learned counsel for the petitioner (Shija Academy of Health Sciences, in short SAHS).

[2] Learned senior counsel for the petitioner submits that the petitioner is the only private college in Manipur imparting MBBS course since 2022 and from the current year i.e. 2026 PG Course will be commenced. The petitioner has been allotted 8 (eight) seats of PG courses, two seats each in MD Biochemistry, MD General Medicine, MS General Surgery and MD Radiodiagnosis. 50% seat is reserved for the State Quota and 50 % seat is for the Management Quota.

[3] The State Government has constituted a committee headed by the Commissioner-cum-Secretary (Health & Family Welfare), Government of Manipur as a Member Secretary and three representatives, one from Manipur University, one Charter Accountant and one representative from National Medical Council (NMC), Delhi for

fixing fee for the PG Course in the State of Manipur for the petitioner's college.

[4] The committee held its meeting on 06.02.2026 and 07.02.2026 and the petitioner's college also submitted proposed fee for the State Quota as well as Management Quota for the four seats each on 06.02.2026 in terms of the direction of the committee. The fee proposed by the petitioner vide letter dated 06.02.2026 is reproduced as:

**"State Quota**

<b>Subject</b>	<b>Seats</b>	<b>Tuition fee (Annual)</b>
MD Biochemistry	1	Rs.3,00,000/-
MD General Medicine	1	Rs.25,00,000/-
MS General Surgery	1	Rs.25,00,000/-
MD Radiodiagnosis	1	Rs.32,00,000/-

**Management Quota**

<b>Subject</b>	<b>Seats</b>	<b>Tuition fee (Annual)</b>
MD Biochemistry	1	Rs.5,00,000/-
MD General Medicine	1	Rs.55,00,000/-
MS General Surgery	1	Rs.50,00,000/-
MD Radiodiagnosis	1	Rs.65,00,000/-

[5] Learned senior counsel for the petitioner has pointed out that since the fee for the petitioner's college was not finalized, the 1<sup>st</sup> three rounds of counseling for admission to PG Courses in its college could not be conducted. Thereafter, vide order dated 18.02.2026, the Joint Secretary (Health & Family Welfare), Government of Manipur issued an order notifying fee for PG Courses in the petitioner's college for State Quota as well as for Management Quota on the recommendation of the committee. The relevant part is reproduced as:

### **“A. State Quota**

<b>Sl. No.</b>	<b>Subject</b>	<b>No. of Seats</b>	<b>Fees (at par with JNIMS)</b>
1	MD Biochemistry	1	Rs. 1,00,000/- for whole course (Rs. 50,000/- in 1 <sup>st</sup> year, Rs. 25,000/- 2 <sup>nd</sup> year and Rs. 25,000/- in 3 <sup>rd</sup> year)
2	MD General Medicine	1	
3	MS General Surgery	1	
4	MD Radiodiagnosis	1	

### **B. Management Quota:**

<b>Sl. No.</b>	<b>Subject</b>	<b>No. of Seat</b>	<b>Tuition Fee (per annum)</b>	<b>Admission fees (one time)</b>	<b>Caution Fee (refundable)</b>
1	MD Biochemistry	1	Rs. 5,00,000/-	Rs.75,000/-	Rs. 25,000/-
2	Md. General Medicine	1	Rs. 55,00,000/-	Rs. 75,000/-	Rs. 25,000/-
3	MS General Surgery	1	Rs.50,00,000/-	Rs. 75,000/-	Rs. 25,000/-
4	MD Ragiodiagnosis	1	Rs.65,00,000/-	Rs. 75,000/-	Rs. 25,000/-

[6] Mr. HS. Paonam, learned senior counsel for the petitioner, submits that there is no subsidy or incentive from the State Government for running the private medical college and the institute has to bear heavy expenses for developing of manpower as well as infrastructure and the expenses of running the medical college is to be adjusted against the fee collected from the students.

[7] Learned senior counsel for the petitioner also draws the attention of this Court to the O.M. dated 03.02.2022 issued by the NMC which is the guideline for fixing fees for 50% Government Quota in Private Medical College and para 19 prescribes that while determining the fee, direct expenses such as salary of the teaching faculty and other directly identifiable expenses in respect of PG courses have to be considered. In the impugned order dated 18.02.2026, the fee chargeable to the State Quota is Rs. 1,00,000/- for three years whereas the proposed fee for the Management Quota has been approved by the Committee. Learned senior counsel for the petitioner

also referred to the order dated 16.10.2025 in WP(C) No. 827 of 2025 passed by this Court in a writ petition filed by the same petitioner regarding the fee for MBBS course in State Quota as an interim measure and also challenging the O.M. dated 03.02.2022 issued by the NMC. This Court fixed a sum of Rs. 5,00,000/- per annum as an interim fee for the MBBS course for the year 2025-2026 for the 50% State Quota seat subject to the outcome of the petition and with the condition that any excess has to be refunded by the college.

[8] It is submitted that as an interim measure and so as to enable the college to sustain the PG Courses, it is prayed that the fee proposed by the college to the committee at the rate of 50% of the Management Quota may be maintained for State Quota for the time being subject to the outcome of the writ petition or any other conditions this Court may deem fit.

[9] Issue notice.

[10] Mr. Th. Sukumar, learned G.A. accepts notice on behalf of respondent Nos. 1 to 4 and Mr. BR. Sharma, learned CGC on behalf of respondent No. 5. Hence, service is complete on all the respondents.

[11] Mr. Th. Sukumar, learned G.A., submits that he may be given some time to take instruction to the proposal made by the learned senior counsel for the petitioner as an interim fee and he has no instruction at the moment.

[12] Mr. BR. Sharma, learned CGC for NMC, also prays for some time for filing counter affidavit.

[13] This Court has perused the materials on record. As the fee for the petitioner's college was fixed only on 18.02.2026, the petitioner's college could not conduct the first three rounds of counseling for PG Courses and it is submitted that the stray round counseling will be conducted from 20.02.2026-23.02.2026 and last date of joining is 28.02.2026.

[14] The proposal submitted by the petitioner's college to the Committee vide letter dated 06.02.2026 (quoted supra) for State Quota has been rejected and reduced drastically. However, the Management Quota fee as proposed by the petitioner has been approved in toto as annual fee in addition to admission fee (one time) and caution fee (refundable). The fee fixed for the Management Quota by the Committee vide the impugned order dated 18.02.2026 is per annum. However, the State Quota fee for the four PG subjects has been fixed at Rs. 1,00,000/- for the whole three years courses at par with the JNIMS i.e. first year Rs. 50,000/-, second year Rs. 25,000/- and third year Rs. 25,000/-.

[15] During the course of hearing, it has been informed that the petitioner's college is under obligation to pay a sum of Rs. 50,000/- per month as stipend to each PG student and stipend alone per year comes to a sum of Rs. 6,00,000/-. It has been submitted that the fee approved for State seat will not be sufficient to meet the expenses in imparting PG Courses for three years and it will not be viable for the college to conduct the PG Courses.

[16] This Court is conscious of the settled law that the determination of fee is best left to the expert and the Court, in normal course, should not substitute its opinion against the decisions and findings of the expert committee. However, on perusal of the fee approved by the State Government on the recommendation of the expert committee, the fee fixed for State Quota at the rate of Rs. 1,00,000/- for three years is too low.

[17] It is already noted above that vide order dated 16.10.2025 passed by this Court in WP(C) No. 827 of 2025 (filed by the same petitioner), this Court provisionally fixed the fee for MBBS Course, for 50% for the State Quota at the rate of Rs. 5,00,000/- per annum against Rs. 45,700/- fixed by the State Government subject to the outcome of the writ petition and with condition of refund of excess amount, if any.

[18] In the circumstances, this Court is constrained to fix an interim fee for the 50% State Quota for PG Course in the petitioner's college i.e. SAHS, keeping in mind the expenses to be incurred and interest of PG students. The interim fees for PG Course in four subjects for State Quota in SAHS are as below:

**A. State Quota**

<b>Subject</b>	<b>Seats</b>	<b>Tuition fee (Annual)</b>
MD Biochemistry	1	Rs.3,00,000/-
MD General Medicine	1	Rs.15,00,000/-
MS General Surgery	1	Rs.15,00,000/-
MD Radiodiagnosis	1	Rs.20,00,000/-

[19] It is clarified that this Court does not express any opinion on the merit of the case. It is also pointed out that till the disposal of the present writ petition, the provisional fee proposed by this Court (supra) for 50% State Quota the PG Courses in SAHS commencing from 2025-2026 will apply. The above mentioned provisional fee is subject to the outcome of the writ petition and the petitioner shall refund the excess to the PG students, if any.

[21] In terms of the observations made above, the fee prescribed in the impugned order dated 18.02.2025 for State Quota at "A" shall remain suspended until further order.

[22] List this case on 18.03.2026.

[23] Furnish a copy of this order to the learned counsel appearing for the parties during the course of the day through whatsapp or any available mode.

**JUDGE**

*Kh. Joshua Maring*