

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

S.B. Civil Writ Petition No. 17817/2024
CNR: RJHC010825342024
URN: CW / 34363U / 2024

M.R. College Of Physiotherapy, Through Its Parent Body Shri Vijay Jan Kalyan Sansthan Dhorimanna, Dist. - Barmer (Raj.) Through Its Secretary Leela Choudhary W/o Kan Singh Choudhary, Aged About 41 Years, Resident Of - Hirkan Ka Than, Mithara Khur, Hirken Ka Than, Barmer, District - Barmer (Raj.).

----Petitioner

Versus

1. State Of Rajasthan, Through The Deputy Secretary To The Government, Department Of Medical And Health Government Of Rajasthan, Secretariat, Jaipur (Rajasthan).
2. Rajasthan University Of Health And Sciences, Through Its Registrar, Kumbha Marg, Pratap Nagar, Jaipur.
3. Private Physiotherapy, Nursing And Para Medical Institutions Society, Jodhpur, Through Its Secretary, Plot No. 273, Subhash Nagar, Pal Road, Jodhpur, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Shreyansh Mardia
For Respondent(s)	:	Mr. B.S. Sodha for Mr. N.S. Rajpurohit, AAG

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

21/07/2026

1. The present writ petition has been preferred by the petitioner-institute with the following prayer:-

"It is, therefore, respectfully prayed that this writ petition may kindly be allowed; and:

(a) by an appropriate writ, order or direction the respondents may kindly be directed to issue the NOC for establishing the new college for bachelor

of Physiotherapy (BPT) course for the academic year 2024-25; and

(ii) Further by an appropriate writ, order or direction, the respondents may kindly be directed to include the petitioner college in the admission process/counseling for the bachelor of Physiotherapy (BPT) course for the academic year 2024-2025 and the respondent may be directed to allot the students to the petitioner institution for the BPT course,

(iii) Any other order or direction, which this Hon'ble Court deem fit and proper in the facts and circumstances of the case may kindly be passed in favour of the humble petitioner,,

(iv) The cost of the writ petition may kindly be awarded in favour of the petitioner."

2. Learned counsel for the petitioner-institute submitted that the controversy involved in this case has already been decided by the Hon'ble Supreme Court in the case of ***Dr. Dayal Institute of Paramedical Technology Vs. State of Rajasthan & Ors. : Petition(s) for Special Leave to Appeal (c) No(s). 31145/2025*** in which in para 4.3.1. specific direction was issued.

Para 4.3.1 of the order reads as under:-

"4.3.1. Essentially Certificate (EC) is to be obtained from the concerned State Government/Union Territory along with the submission of an affidavit duly providing assurance of compliance aligning with the approved curricula."

3. Learned counsel for the petitioner-institute submitted that the present writ petition may also be disposed of with a liberty to the petitioner to file a fresh representation along with the judgment aforesaid and to apprise this factual aspect before the competent authority of the respondents and the competent authority may be directed to decide the same expeditiously.

4. Learned counsel for the respondents has no objection the same.

5. In view of the aforesaid submissions, the present writ petition is disposed of with a direction to the petitioner to file a fresh detailed representation along with copy of judgment aforesaid to apprise this factual aspect before the competent authority of the respondents, within a period of two weeks.

6. The competent authority of the respondents shall consider and decide petitioner's representation within a period of four weeks from the date of receipt of the said representation along with certified copy of the order instant, in accordance with law.

7. It is made clear that aforesaid direction to decide the representation has been issued only with a view to ensure expeditious redressal of petitioner's grievance. The same may not be construed to be an order to decide the representation in a particular manner.

8. The stay application and the pending applications, if any, also stand disposed of.

(MUKESH RAJPUROHIT),J