

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

D.B. Spl. Appl. Writ No. 1613/2025

Jitendra Kumar Sharma S/o Pramod Kumar Sharma, Aged About
28 Years, Vpo- Pehal, Tehsil Mundwara, District Alwar.

----Appellant

Versus

1. Dr. Sarvepalli Radhakrishnana Rajasthan Ayurvedic University, (Dr. S.r.r.a.u.), University College Of Ayurved, Karwad, Jodhpur. Through Its Registrar.
2. Controller Of Examination, Dr. Sarvepalli Radhakrishnana Rajasthan Ayurvedic University, University College Of Ayurved, Karwad, Jodhpur.
3. The Mahatma Jyotiba Fule College Of Ayurveda, Nh 11, Sikar Road, Harota, Chomu, Jaipur (Raj.) Through Its Principal.

----Respondents

For Appellant(s) : Mr. Nikhil Dungawat

For Respondent(s) : Mr. Sunil Purohit

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE SANDEEP SHAH**

Order

23/03/2026

1. This special appeal (writ) has been preferred claiming the following reliefs:-

"It is, therefore, most humbly and respectfully prayed that this appeal may kindly be allowed and Order dated 18.09.2025 passed by learned Single Judge in S.B. Civil Writ Petition No. 11403/2025, titled as Jitendra Kumar Sharma Dr. Sarvepalli Radhakrisnana Rajasthan Ayurvedic University & Ors., V/s may kindly be quashed and set aside and prayers made in the Writ petition filed by the appellant inter alia may kindly be allowed as prayed for."

2. Learned counsel for the appellant submits that the appellant, who is pursuing the B.A.M.S. (Bachelor of Ayurveda Medicine and Surgery) course conducted by the respondent-University, has not been able to clear all four professional examinations within a period of ten years. Consequently, by virtue of Regulation 11(E) of the National Commission for Indian System of Medicine (Minimum Standards of Undergraduate Ayurveda Education) Regulations, 2022 (hereinafter referred to as "Regulations of 2022"), the appellant has been denied continuation in the course.

2.1. Learned counsel further submits that the Regulations of 2022, which impose a restriction on completion of the course within a period of ten years, cannot be applied retrospectively. In support of his submissions, reliance has been placed upon the judgment rendered by a learned Single Bench of this Hon'ble Court in *S.B. Civil Writ Petition No.7789/2019 (Govind Soni v. Registrar, Dr. Sarvepalli Radhakrishnana Rajasthan Ayurvedic University & Ors.)*, decided on 11.09.2019.

3. Per contra, learned counsel for the respondents submits that the issue involved in the present case is no longer res integra. It is submitted that the learned Single Judge, while passing the impugned order, has rightly relied upon the judgment rendered in a batch of writ petitions led by *S.B. Civil Writ Petition No.9529/2024 (Mohit Sharma v. Shekhawati College & Ors.)*, decided on 30.05.2024, wherein the legal position has been settled after considering the judgments in *Govind Soni* (supra) and *Sahil Bangra & Ors. v. Dr. Sarvepalli Radhakrishnana Rajasthan Ayurvedic University & Anr.* (S.B. Civil Writ Petition No.8767/2023).

3.1. Learned counsel for the respondents further submits that even in *Sahil Bangra* (supra), this Hon'ble Court had considered the entire gamut of the issue, including the judgment in *Govind Soni* (supra), and categorically held that a candidate who fails to clear the four professional examinations within a period of ten years would be disentitled from continuing the course in view of the Regulations of 2022.

3.2. Learned counsel for the respondent has also relied upon the judgment passed by a Coordinate Bench of this Hon'ble Court in a Bunch of petitions led by D.B. Special Appeal (Writ) No.900/2024 (*Rohit Kumar Meena V/s The Registrar, Dr. Sarvepalli, Radhakrishnana Rajasthan Ayurvedic University & Ors.*), wherein the judgment of *Mohit Sharma* (supra) has been upheld while keeping into consideration the judgment rendered in *Govind Soni* (supra), *Sahil Bangra* (supra).

4. This Court has considered the rival submissions and perused the material on record. It is observed that the issue regarding the applicability of the Regulations of 2022, particularly the outer time limit of ten years for completion of the B.A.M.S. course, is no longer res integra and stands settled by a consistent line of decisions, including *Mohit Sharma* (supra), as affirmed by the Division Bench in *Rohit Kumar Meena* (supra), after considering earlier judgments including *Govind Soni* (supra) and *Sahil Bangra* (supra).

4.1. In the present case, since the appellant has admittedly failed to complete the course within the prescribed period, no right to continue can be claimed. The contention regarding retrospective application does not warrant acceptance in light of the settled

legal position and the same does not warrant any interference by this Court.

5. Consequently, the special appeal (writ) stands dismissed.

(SANDEEP SHAH),J

(DR.PUSHPENDRA SINGH BHATI),J

22-Nirmala/-