

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**FRIDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 10089 OF 2022

Between:

1. Devs Medical and Educational Society , A Registered Society under the Societies Registration Act, Rep. by its President Dr. N. Satyadev O/o 22, Anupuram, ECIL Post, Hyderabad- 500 062.
2. Devs Homeopathy Medical College And Hospital, Devanagar, Ankireddipalli, Keesara, Medchel District, TS Rep. by its Correspondent Dr. N. Satyadev.
3. Dr. N. Satyadev, S/o Late Sri Tataiah Naidu, Aged about 70 years, Occ. Doctor, 22, Anupuram, ECIL Post, Hyderabad- 500 062.

...PETITIONERS

AND

1. National Commission for Homeopathy , Rep. by its Secretary-in Charge, Having its office at Jawaharlal Nehru Bhartiya Chikitsaavum Homoeopathic Anusandhan Bhawan, 61-65, Institutional Area, Opp. D Block, JanakPuri New Delhi- 1100058.
2. National Commission for Homeopathy, Rep. By its President Jawaharlal Nehru Bhartiya Chikitsaavum Homoeopathic Anusandhan Bhawan, 61-65, Institutional Area, Opp. D Block, Janak Puri New Delhi- 1100058.
3. Kaloji Narayan Rao University of Health Sciences, Warangal Telangana, Rep. by its Registrar, Nizampura, Warangal.
4. State of Telangana, Rep. by its Principal Secretary, Medical Health and Family Welfare Department, Secretariat, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more in the nature of Writ of Mandamus declaring the action of the First Respondent in rejecting approval to the First Petitioner college for the academic year 2021-2022 vide proceedings File. No. 3/47/2021/NCH/HEB/GR16558-6562 dated 31/1/2022 for 50 seats (and granting only 30 seats) as wholly illegal, arbitrary and contrary to the provisions of HCC (MSR) Regulations 2013 and HCC Act, 1973 and National Commission

of Homeopathy Act 2020 and Article 14 and 19 (1)(g) of Constitution of India and issue such consequential directions to the First Respondent grant permission for the UG BHMS course with 50 seats for the academic sessions 2021-22 and further consequential direction to the Third Respondent University to allot and allow admissions to the Petitioner-college for the UG BHMS course with 50 seats for the academic sessions 2021-22

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the First and Third Respondent to include the Petitioner-College in the process of counseling for the UG-BHMS course with 50 seats for the academic year 2021-22, pending the present Writ Petition

**Counsel for the Petitioner: SRI. V. HARIRHARAN SENIOR COUNSEL REP
SRI SRIKANTH HARIHARAN**

**Counsel for the Respondent Nos. 1&2: SRI L. PRANATHI REDDY REP
SRI GADI PRAVEEN KUMAR,
DY. SOLICITOR GENERAL OF INDIA**

**Counsel for the Respondent No.3: SRI A. PRABHAKAR RAO,
SC FOR KNRUOHS**

**Counsel for the Respondent No.4: SRI TANDRA RAMESH,
AGP FOR MEDICAL
HEALTH AND FAMILY WELFARE**

The Court made the following: ORDER

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J. SREENIVAS RAO**

WRIT PETITION No. 10089 of 2022

ORDER: (per the Hon'ble the Chief Justice Alok Aradhe)

Mr. V. Hariharan, learned Senior Counsel represents
Mr. Srikanth Hariharan, learned counsel for the petitioners.

Ms. L. Pranathi Reddy, learned counsel appears for
Mr. Gadi Praveen Kumar, learned Deputy Solicitor General of
India appears for respondent Nos.1 and 2.

Mr. A. Prabhakar Rao, learned Standing Counsel for
Kaloji Narayana Rao University of Health Sciences appears
for respondent No.3.

Mr. Tandra Ramesh, learned Assistant Government
Pleader for Health, Medical & Family Welfare appears for
respondent No.4.

2. In this Writ Petition, the petitioners *inter alia* have questioned the validity of order dated 31.01.2022 passed by National Commission for Homeopathy rejecting the approval to the College run by petitioner No.1 for allotment of 50 seats in respect of admissions to Under Graduate Bachelor of Homeopathic Medicine and Surgery (BHMS) course on the ground that the same is contrary to the provisions of Homeopathy Central Council (Minimum Standards Requirement of Homeopathic Colleges and attached Hospitals) Regulations, 2013, and National Commission of Homeopathy Act, 2020.

3. A Bench of this Court had granted an interim order on 17.03.2022. In pursuance of the aforesaid interim order, the college of petitioner No.1 had been allotted 50 seats in respect of BHMS course for the academic year 2021-22.

4. Therefore, no further orders are required to be passed in the Writ Petition.

5. Accordingly, the Writ Petition is disposed of. However, the issue involved in the Writ Petition is kept open to be agitated in an appropriate proceeding.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

SD/- V. KAVITHA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Secretary-in Charge ,National Commission for Homeopathy, Having its office at Jawaharlal Nehru Bhartiya Chikitsaavum Homoeopathic Anusandhan Bhawan, 61-65, Institutional Area, Opp. D Block, JanakPuri New Delhi- 1100058.
2. The President National Commission for Homeopathy, Jawaharlal Nehru Bhartiya Chikitsaavum Homoeopathic Anusandhan Bhawan, 61-65, Institutional Area, Opp. D Block, Janak Puri New Delhi- 1100058.
3. The Regsitrar, Kaloji Narayan Rao University of Health Sciences, Warangal Telangana, Nizampura, Warangal.
4. The Principal Secretary, Medical Health and Family Welfare Department, Secretariat, T.S., Hyderabad.
5. One CC to SRI. SRIKANTH HARIHARAN, Advocate [OPUC]
6. One CC to SRI. GADI PRAVEEN KUMAR, DY. SOLICITOR GENERAL OF INDIA [OPUC]
7. One CC to SRI. A. PRABHAKAR RAO, SC[OPUC]
8. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY WELFARE, High Court for the State of Telangana, at Hyderabad [OUT]
9. Two CD Copies

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K.P.

HIGH COURT

DATED:25/10/2024



ORDER

WP.No.10089 of 2022

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

12 Copies
[Signature]
29/11/24