

5520/21  
C.G. Dileep Gowda

IN THE HIGH COURT OF KARNATAKA AT BENGALURU  
DATED THIS THE 17<sup>TH</sup> DAY OF MARCH 2021  
BEFORE  
THE HON'BLE MR. JUSTICE R.DEVDAS  
WRIT PETITION NO. 5180 / 2021 [EDN-RES]

**PETITIONER:**

1. ANURADHA HOMOEOPATHIC MEDICAL COLLEGE & HOSPITAL, MANAGED AND RUN BY ANURADHA EDUCATIONAL TRUST (R) SITUATED AT NO. 78/5, SRIGANDADAKAVAL, SRIGANDHANAGAR, NEAR: BWSSB WATER TANK & HEGGANAHALLI CROSS, VISHWANEEDAM POST, BANGALORE - 560 091.  
REPRESENTED BY ITS PRINCIPAL DR.A.L. PATIL

By Sri. C.G.DILEEP GOWDA, ADV.,  
V/s

**RESPONDENTS:**

1. THE UNION OF INDIA  
MINISTRY OF AYURVEDA, YOGA, UNANI, SIDDA AND HOMOEOPATHY-AYUSH 'AYUSH BHAWAN', 'B' BLOCK, G.P.O COMPLEX, INA, NEW DELHI - 110 023  
REPRESENTED BY ITS SECRETARY

2. THE BOARD OF GOVERNORS TO CENTRAL COUNCIL OF HOMOEOPATHY -CCH GOVERNMENT OF INDIA, 61-65, INSTITUTIONAL AREA OPPOSITE TO 'D' BLOCK, JANAKAPURI NEW DELHI - 110 058  
REPRESENTED BY ITS SECRETARY

3. THE STATE OF KARNATAKA HEALTH AND FAMILY WELFARE DEPARTMENT, M.S BUILDING, DR AMBEDKAR VEEDHI BANGALORE - 560 001  
REPRESENTED BY ITS PRINCIPAL SECRETARY

4. THE RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES 4TH 'T' BLOCK, JAYANAGAR, BANGALORE - 560 041  
REPRESENTED BY ITS REGISTRAR.

- a) The date on which the application was made... 18/3/21
- b) The date on which charges and addl. charges, if any, are called for... ..
- c) The date on which the charges and addl. charges, if any, are deposited... ..
- d) The date on which the copy is ready... 25/3/21
- e) The date of notifying that the copy is ready for delivery... 25/3/21
- f) The date on which copy is delivered to the application... 29/3/21



CGC FOR R1. AGA FOR R2 & R3. Certified copy contains... 2 Pages  
SRI.N.K.RAMESH, ADV. FOR R4. Copying charges of ₹... 21/- is received  
... (2)

Whereas, a Writ Petition filed by the above named petitioner under Article 226 & 227 of the constitution of India, has been registered by this Court.

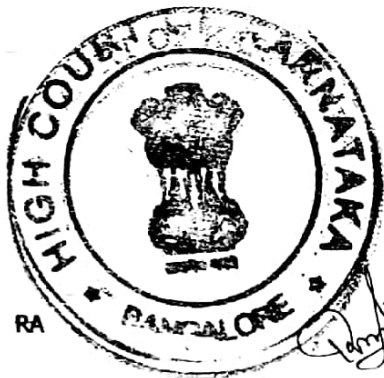
After hearing, the Court made the following:

**ORDER**

Learned Counsel for the petitioner submits that a communication dated 15.03.2021 is given by the Central Council of Homeopathy (CCH) stating that although the Committee is of the opinion that the petitioner-Institution does not have the eligibility for grant of permission for 60 Undergraduate seats in BHMS course for the academic year 2020-2021, however, considering the COVID-19 pandemic situation, the Ministry has relaxed the criteria for granting permission with reduced seats of 30 Undergraduate seats and if the petitioner-Institution is willing to the said conditions, it would be permitted to admit 30 students.

The learned Counsel submits that the respondent-authorities are coercing the petitioner to accept the reduced intake. Therefore, the learned Counsel submits that while the petitioner may be permitted to accept 30 Undergraduate seats, however, the petitioner should be permitted to agitate the grounds raised in this writ petition without foreclosing the matter on the ground that the petitioner has accepted the conditions imposed by the respondent-authorities.

Accordingly, the petitioner-Institution is permitted to admit 30 Undergraduate students in BHMS course as stated in the communication dated 15.03.2021. However, the matter will not be closed on the ground that the petitioner has accepted the conditions imposed by the respondent-authorities.



//Copy//  
25/3/2021  
(M.V.SUSHEELA)  
ASSISTANT REGISTRAR

Sd/-  
JUDGE

TRUE COPY

Deonji 25/3/21  
Section Officer  
High Court of Karnataka  
Bangalore - 560 001

Note: It is prayed to stay the operation of (i) Regulation 5 of Notification dated 22.4.2013 and (ii) Regulation 8(b) of Notification dated 07.11.2016 issued by the respondent No.2 under Annexure-A & B and/or in the alternative permit the 1<sup>st</sup> petitioner to continue the services of petitioners 2 to 7.

*[Signature]*  
Assistant Registrar  
*[Signature]*

FREE LEGAL AID WILL BE PROVIDED TO:-

- 1) Free legal aid will be provided to SC/ST. Women, Child, Convicted/Prisoners, Industrial workmen, Mentally ill, Disabled etc., and also whose annual income is less than Rs.1,00,000/-
- 2) The eligible persons may contact the Member Secretary, High Court Legal Services Committee or District Legal Services Authority or Taluk Legal Services Committee.

trr 6.11.2019-4



TRUE COPY

*[Signature]*  
Section Officer  
High Court of Karnataka  
Bengaluru - 560 001

- a) The date on which the application was made... 27/11/19
- b) The date on which charges and addl. charges, if any, are called for.....
- c) The date on which the charges and addl. charges, if any, are deposited.....
- d) The date on which the copy is ready 26/11/19
- e) The date of notifying that the copy is ready for delivery 26/11/19
- f) The date on which copy is delivered to the application 26/11/19