

IN THE HIGH COURT OF KARNATAKA,  
KALABURAGI BENCH  
DATED THIS THE 29<sup>TH</sup> DAY OF JULY, 2019  
BEFORE

THE HON'BLE MRS. JUSTICE S.SUJATHA  
WRIT PETITION NOS.203483-203484 OF 2019 (EDN-REG/P)

BETWEEN

TIPPU SULTAN UNANI MEDICAL COLLEGE AND HOSPITAL  
MILLATNAGAR, RING ROAD, KALABURAGI, KARNATAKA  
THROUGH ITS PRINCIPAL, DR.RUKHSANA W/O S.T. HUSSAIN,  
AGED ABOUT 48 YEARS, OCC: PRINCIPAL,  
R/O C/O TIPPU SULTAN UNANI MEDICAL COLLEGE AND  
HOSPITAL MILLATNAGAR, RING ROAD, KALABURAGI.  
...PETITIONER  
(BY SRI. VENKATESH.C.MALLABADI, ADV.)

AND

1. THE UNION OF INDIA,  
REPRESENTED BY ITS SECRETARY,  
MINISTRY OF AYURVEDA, YOGA, NATUROPATHY, UNANI,  
SIDDA HOMEOPATHY (AYUSH), AYUSH BHAVAN, "B" BLOCK,  
GPO COMPLEX INA, NEW DELHI 110023.
2. THE SECRETARY,  
CENTRAL COUNCIL OF INDIAN MEDICINE,  
NO.61-65, INSTITUTION AREA OPPOSITE "D" BLOCK,  
JANAKPURI, NEW DELHI-110058.
3. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES,  
KARNATAKA 4<sup>th</sup> "T" BLOCK, JAYANAGAR  
BENGALURU-560041. REPRESENTED BY ITS REGISTRAR.

...RESPONDENTS

(SRI.S.S.ASPALLI, WAIVES NOTICE FOR RESPONDENT NOS. 1 TO 3)

Whereas Writ Petition filed by the above named Petitioner under Articles 226 & 227 of the Constitution of India, has been registered by this Court

INTERIM PRAYER

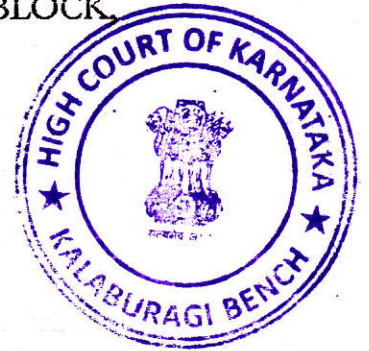
The advocate for petitioner prays this Hon'ble Court may be pleased pass an interim order of stay staying the operation and execution of order dated 04.07.2019 on file No. F.No.0-14014/22/2019-EP-1 passed by Respondent No.1 which is at **Annexure-H** and permit the petitioner herein to admit the students for the academic session 2019-20 for first year of unani medicine course, pending disposal of this writ petition.

Read : Order on being spoken to dated:01.08.2019.

This Writ Petition coming on for Preliminary Hearing to before this Court this day, the Court made the following: -

ORDER

Copy of the order dated 29.07.2019 and 01.08.2019 is enclosed herewith.





**SSJ:**  
29.07.2019

W.P.Nos.203483-203484/2019

**ORDER**

Sri S.S.Aspalli, waives notice for respondent Nos.1 to

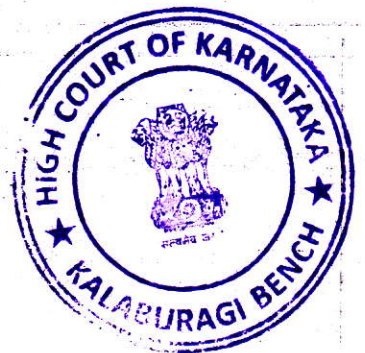
3.

Learned counsel appearing for the parties submitted ad-idem that the Cognate Bench of this Court in identical circumstances, in Writ Petition Nos.47294-295/2018 and Writ Petition Nos.203458-203459/2019 has passed an interim order permitting the petitioner's institution to admit the students Undergraduate - UG \* (BUMS) ~~2~~ (BAMS) Course in accordance with the procedure prescribed subject to certain conditions and petitioner herein is entitled to similar relief on the rule of parity.

The said submission is placed on record.

Having regard to the submission of the learned counsel for the parties and perusing the material on record, this Court is of the considered opinion that the petitioner herein is entitled to the similar relief as that of the order

\* Corrected vide Order Dated 01/08/2019.



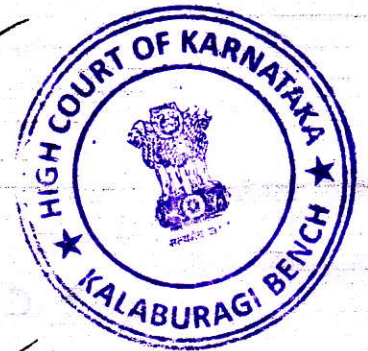


passed by this Court in identical circumstances referred to supra.

The petitioner is permitted to admit 60 students to the \* (BUMS) <sup>g</sup> UG (BAMS) Course in accordance with the procedure for the academic year 2019-2020 during the pendency of the writ petitions subject to the following conditions :-

1. Petitioner filing an affidavit of undertaking that writ petitioner would not claim any equities in the event of writ petitions are being dismissed;
2. Petitioner shall file an affidavit of the Principal of petitioner's institution certifying that pendency of this writ petition will be individually intimated to all the students who have admitted and the acknowledgment obtained from each students shall be filed along with staid affidavit;
3. The students who are likely to be admitted are not parties to these proceedings hence, it is made clear that such students would also not be entitled to claim any equities or contend at a later stage that they would be entitled to be continued in the course or their admission is to be regularized;

\* Corrected vide order Dated 01/08/2019.





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4. The petitioner shall web host in their web site inasmuch as the pendency of these writ petitions and the order passed today.

5. The petitioner is at liberty to furnish the compliance report of the deficiencies complied within one month from the date of receipt of a certified copy of this order. On such submission, the respondent No.2 shall consider the compliance made, after conducting inspection and the same shall be reported to respondent No.1 to take necessary action in accordance with law.

Sd/-  
Judge

// COPY //

*[Signature]*  
ASSISTANT REGISTRAR  
21/8/19





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**SSJ:**  
01.08.2019

W.P.Nos.203483-203484/2019

**'ORDER ON BEING SPOKEN TO'**

It is discerned that in the order dated 29.07.2019 it is typed as 'UG (BAMS) Course' in the 6<sup>th</sup> line of the un-numbered paragraph No.2 at page No.1 and at 2<sup>nd</sup> line of un-numbered paragraph No.2 at page No.2 instead of 'UG (BUMS) Course'. Obviously it is a typographical error and the same is corrected as 'UG (BUMS) Course'.

The corrected copy of the order dated 29.07.2019 shall be furnished to the petitioner forthwith.

Sd/-  
Judge

// COPY //

*[Handwritten signature]*  
ASSISTANT REGISTRAR  
21/8/19 *[Handwritten signature]*

