

DATE OF THE  
ORDER

ORDER

W.P. No. 12312/2015

3/8/2015.

Shri S. Shekhar, learned counsel for the petitioner.

Issue notice to the respondents.

At this stage Shri Mohan Sausarkar, learned counsel appears and takes notice on behalf of respondent No.3.

Shri Gopi Chourasiya, learned counsel takes notice on behalf of respondents No.1 and 2.

Shri Pushendra Yadav, learned Govt. Adv. For respondent No.4.

Copies of the petition be given to each of the counsel.

Prima facie, we find that the petitioner's institute was granted recognition for conducting a BDS Course in the year 2011 and now on the basis of some inspection conducted recognition is proposed to be withdrawn. However, the recognition is being withdrawn based on certain procedure held under Section 10 (A) which pertains to approval of a new Dental College or Course whereas, recognition already granted to an institute can be withdrawn after following the procedure under Rule 16. Prima facie, the record does not show that procedure contemplated for withdrawal of recognition as contained in Section 16 has been followed in the matter of refusing permission to admit students to BDS Course. In view of the above, we direct that the petitioner's institute be provisionally permitted subject to final decision of the writ petition to admit

DATE OF THE  
ORDER

ORDER


W.P. No. 12312/2015

students to the BDS Course for the session 2015-2016. Petitioner's institute shall inform each and every student seeking admission at the time of counselling that their admission is provisional and subject to final decision of this petition. Pendency of the writ petition and permission to participate in the counselling on the basis of this order shall be highlighted by the petitioner institute to all concern and thereafter it would be for the concerned student to take admission irrespective of the fact that the petition is pending.

List for further orders in the week commencing 17<sup>th</sup> August 2015 by which time the respondents may file their reply.

cc. as per rules.

  
(Rajendra Menon)  
Judge

  
(C. V. Sirpurkar)  
Judge

mrs. mishra

