

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2026
[SPECIAL LEAVE PETITION (C) NO. 34584 OF 2026]

NATIONAL COMMISSION FOR INDIAN
SYSTEM OF MEDICINE & ANR.

Appellant (s)

VERSUS

SHIVGANGA AYURVEDIC MEDICAL COLLEGE
AND RESEARCH CENTRE & ANR.

Respondent(s)

O R D E R

1. Leave granted.

2. This appeal is filed against the impugned order dated 23.09.2026 passed by the High Court of Judicature at Bombay, Bench at Kohlapur, in Writ Petition No. 4686 of 2026.

3. Respondent No. 1 - College filed an application seeking approval for 100 seats in the Undergraduate (BAMS) course for the academic year 2024-2025. With effect from 01.05.2024, the Minimum Standards Regulations came into force and the Medical Assessment and Rating Board for Indian System of Medicine, Appellant No. 2 directed all the Institutions must record the attendance through Biometric device called AEBAS for students and staff. On 30.09.2024, a Letter of Permission was granted by the Appellants to Respondent No. 1 - College for the academic year 2024-

2025.

4. Appellant No. 2 had set the deadline for all the Institutions to comply with the Minimum Standards of Regulations on 18.02.2025. On inspection, Appellant No.2 found that there were certain deficiencies in the infrastructural facilities provided by Respondent No. 1, particularly those relating to non-implementation of Biometric Attendance requirements.

5. On 03.12.2025, Appellant started process for enabling the Part I Visitation Proforma for the AY 2026-2027. In furtherance of Respondents' application for approval of 100 seats of Undergraduate (BAMS) course for the academic year 2026-2027, an inspection was conducted on 27.03.2026 and after finding certain deficiencies, a hearing notice was issued on 09.04.2026.

6. The enquiry process culminated in the passing of three orders, being 04.09.2026, 09.09.2026 and 16.09.2026. After hearing the Respondents, Appellant(s) imposed a fine of Rs. 1 Crore on the college and levied Rs. 1.5 Lakhs on every faculty/teacher who were only present on paper, but absent physically and also directed their suspension. The Respondents' request for 100 seats in the Undergraduate (BAMS) Course for the academic year 2026-2027 was denied.

7. Challenging the above-referred three orders, Respondent No. 1 filed a writ petition before the High Court.

8. By the order impugned before us, the High Court allowed the writ petition directing:-

“(A) Both the impugned orders are quashed and set aside and substituted by following order :-

(1) The petitioner shall pay penalty of Rs.25,00,000/- to the respondent no.1 - Commission within a period of two weeks. No further time shall be granted.

(ii) The petitioner shall remove the deficiencies or the shortfall which are referred above or if so indicated independently by the respondent authorities to the petitioner by 31.12.2026. The compliance report thereof shall be submitted to the respondents.

(iii) The respondents shall be at liberty to inspect / verify the petitioner college as well as consider the compliance report.

(iv) The petitioner is permitted to participate in further round of admission process and to have their teachers code restored for 19 faculties, subject to compliance of above order and the norms or the regulation operating in the field.”

9. Except for the directions, there is actually no discussion about the circumstances which compelled the High Court to pass the order. Ms. Archana Pathak Dave, learned Additional Solicitor General, submits that the Appellants were also not given a proper

opportunity to contest the pleas raised in the writ petition. Be that as it may, it is evident from the judgment itself that the High Court has not examined the matter in detail and has shown undue anxiety to dispose of the writ petition by passing the above-referred directions.

10. While we are not in agreement with the method and manner of disposal of the writ petition, we are not inclined to express any opinion on the merits of the case as we intend only to set aside the impugned order and restore the writ petition for proper adjudication and determination after hearing all the contesting parties.

11. In view of the above, the impugned order passed by the High Court is set aside. Writ Petition No. 4686 of 2026 is restored to its original number. High Court will now hear the contest of parties and decide the lis in accordance with law.

12. Mr. Dama Seshadri Naidu, learned senior counsel appearing for the Respondents, submits that the Respondent is an existing Ayurvedic Medical College and that it admitted the students for the academic year 2024-2025 and 2025-2026. As the counselling has already commenced for the AY 2026-2027, we are of the opinion that it will not be proper to have a gap year if all other requirements are fulfilled. Hence, we

request the High Court to take up the writ petition and dispose it of as expeditiously as possible, keeping in mind the conclusion of final counselling by the end of this month.

13. Till the final orders are passed by the High Court, the Respondents shall not admit any students. Once again, we make it clear that we have not expressed any opinion on the merits of the matter.

14. With these directions, the Civil Appeal stands allowed and disposed of.

15. Pending interlocutory application(s), if any, is/are disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.

[ALOK ARADHE]

NEW DELHI;
OCTOBER 06, 2026.

ITEM NO.14

COURT NO.5

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 34584/2026

[Arising out of impugned final judgment and order dated 23-09-2026 in WP No. 4686/2026 passed by the HIGH COURT OF JUDICATURE CIRCUIT BENCH AT KOLHAPUR]

NATIONAL COMMISSION FOR INDIAN SYSTEM
OF MEDICINE & ANR.

Petitioner(s)

VERSUS

SHIVGANGA AYURVEDIC MEDICAL COLLEGE AND
RESEARCH CENTRE & ANR.

Respondent(s)

IA No. 301019/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

Date : 06-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) : Ms. Archana Pathak Dave, A.S.G.
Ms. Ankita Chaudhary- 3029, AOR
Mr. Parmod Kumar Vishnoi, Adv.
Mr. Avnish Dave, Adv.
Mr. Chand Kapoor, Adv.
Mr. Devesh Kumar, Adv.
Mr. Aditya Kumar, Adv.

For Respondent(s) : Mr. Dama Seshadri Naidu, Sr. Adv.
Mr. Abhay Anil Anturkar, Adv.
Mr. Dhruv Tank, Adv.
Mr. Sarthak Mehrotra, Adv.
Ms. Surbhi Kapoor- 3277, AOR
Ms. Bhavya Pande, Adv.
Mr. Uday Gautam, Adv.
Ms. Aradhya Srivastava, Adv.
Mr. Nakul Patwardhan, Adv.
Mr. Aravind Vishnubottla, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The civil appeal is allowed in terms of the signed order.
3. Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(NIDHI WASON)
ASSISTANT REGISTRAR

(Signed order is placed on the file)