

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 3280/2026
[Arising out of impugned final judgment and order dated 17-12-2025
in EFAOS No. 22/2025 passed by the High Court of Delhi at New
Delhi]

ASAD MUEED & ORS.

Petitioner(s)

VERSUS

JAMIA HAMDARD DEEMED TO BE UNIVERSITY & ORS.

Respondent(s)

(IA No. 30175/2026 - APPLICATION FOR VACATION OF INTERIM ORDER
IA No. 337471/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 36365/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 337473/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 337479/2025 - INTERVENTION/IMPLEADMENT
IA No. 7413/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 337480/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
I.A No. 337476/2025 - PERMISSION TO FILE LENGTHY LIST OF DATES
I.A.NO.164139/2026-APPLICATION FOR DIRECTION)

Date : 27-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) : Mr. Shyam Diwan, Sr. Adv.
Mr. Dhruv Mehta, Sr. Adv.
Mr. Saket Sikri, Adv.
Ms. Simran Mehta, Adv.
Ms. Ekta Kalra Sikri, Adv.
Mr. Vikalp Mudgal, AOR
Mr. Ajaypal Singh Kullar, Adv.
Mr. Kshitij Mudgal, Adv.
Ms. Anshula L. Bakhru, Adv.
Ms. Nishi Sangtani, Adv.
Mr. Priyansh Choudhary, Adv.
Mr. Ansh Mittal, Adv.
Mr. Prakhar Khanna, Adv.
Mr. M.H. Zahidi, Adv.

For Respondent(s) : Mr. Shreyans Singhvi, Adv.
Mr. Tanuja Singh, Adv.
Mr. Archita Yadav, Adv.

Ms. Pankhuri Tiwari, Adv.
Mr. Deepak Goel, AOR

Mr. Rajiv Kumar Virmani, AOR
Mr. Shubham Pandey, Adv.
Mr. Anuj Malhotra, Adv.
Mr. Naimesh Gupta, Adv.

Mr. P. Chidambaram, Sr. Adv.
Mr. K. Parameshwar, Sr. Adv.
Mr. Danish Zubair Khan, AOR
Dr. Swaroop George, Adv.
Mr. Mobashshir Sarwar, Adv.
Mr. Abhinandan Jain, Adv.
Mr. Shivam Prajapati, Adv.
Mr. Abhigyan Dwivedi, Adv.
Mr. Kartikey, Adv.
Mr. Sai Kaushal, Adv.

Mr. Gaurav Sharma, Sr. Adv.
Ms. Mithu Jain, AOR
Mr. Shashwat Jaiswal, Adv.
Ms. Diksha Arora, Adv.

Mr. Parmanand Gaur, Adv.
Mr. Vibhav Mishra, Adv.
Ms. Megha Gaur, Adv.

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

I.A.NO.164139/2026:

1. The petitioners have sought the following reliefs in this application:

- "a) direct Respondent No.1 to forthwith issue enrolment numbers to the 49 PG students admitted by Petitioner No.3 pursuant to the orders dated 27.01.2026 and 11.02.2026 passed by this Hon'ble Court; AND/OR
- b) direct Respondent No.1 to withdraw the letter dated 30.04.2026, insofar as it seeks to obstruct or frustrate admissions in 150 MBBS seats and 49 PG seats in Petitioner No.3 for the academic year 2026-2027; AND/OR
- c) direct Respondent No.6/National Medical Commission not to act upon, give effect to, or take

cognizance of the letter dated 30.04.2026 issued by Respondent No.1, to the prejudice of Petitioner No.3; AND/OR

- d) direct Respondent No.6/National Medical Commission to forthwith enable and restore access to the UG branch of the NMC portal for Hamdard Institute of Medical Science and Research (Petitioner No.3,) and not confine Petitioner No.3 to the PG branch alone, so as to permit submission of the disclosure report required for renewal of 150 MBBS seats on or before 30.05.2026, or within such further time as may be directed by this Hon'ble Court; AND/OR
- e) direct Respondent No.6/National Medical Commission to accept and process the said disclosure report without treating any delay or non-submission occasioned by portal inaccessibility as default attributable to Petitioners, and without prejudice to the rights and contentions of the petitioners in the present proceedings; AND/OR
- f) direct Respondent No.1 to forthwith issue Consent of Affiliation to Hamdard Institute of Medical Sciences and Research (Petitioner No.3) in respect of 150 UG seats and 49 PG seats for the academic year 2026-2027; AND/OR
- g) in the alternative, grant deemed Consent of Affiliation to Hamdard Institute of Medical Sciences and Research (Petitioner No.3) in respect of 150 UG Seats and 49 PG seats for the academic year 2026-2027; AND/OR
- h) pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

2. We have heard learned senior counsel for the respective parties at length.

3. We have perused the prayers sought by the petitioners herein.

4. During the course of submissions, our attention was drawn to the earlier order passed by this Court on

11.02.2026. For immediate reference, we extract the aforesaid order as under:

"1. We have heard learned senior counsel and learned counsel appearing for the respective parties.

2. Learned counsel appearing for National Medical Commission submitted that pursuant to the earlier interim order passed by this court, as many as forty nine post graduate students have been counselled and they have been admitted. However, the consent of affiliation has not been granted by the first respondent-University to the third petitioner.

3. Learned counsel appearing on behalf of first respondent University submitted that owing to certain objections which have been raised by the University Grants Commission-fifth respondent herein, the consent of affiliation has not yet been issued to the third petitioner herein. However, learned senior counsel for the third petitioner submitted that pursuant to the interim order passed by this Court, the students have been admitted and as rightly submitted by learned senior counsel for the National Medical Commission the admission of the students have to be protected pending disposal of the Special Leave Petition.

4. In the circumstances, we observe that since there has been admission of as many as forty nine students in the third petitioner-College, the consent of affiliation is deemed to have been granted by the first respondent University in favour of the third respondent-University subject to the result of this Special Leave Petition.

5. We observe that this is having regard to the peculiar facts of this case where there is an arbitration dispute between two branches of the family and the arbitral proceedings which are a subject matter of adjudication in this Special Leave Petition.

6. Learned senior counsel sought permission to file rejoinder-affidavit to the counter-affidavit filed by the respondent.

7. Permission granted.

8. Adjourned."

5. On perusal of the aforesaid order, we note that despite the controversy between the parties, since 49 students had been admitted in the third petitioner-college/Institution for the Post-Graduate courses, we had observed that the Consent of Affiliation was deemed to have been granted by the first respondent-University in favour of petitioner No.3-College/Institution for the academic year 2026-2027.
6. We had also observed that having regard to the ensuing controversy between the parties and in the peculiar facts of this case where the arbitral order is a subject matter of dispute, insofar as the order passed by the learned Arbitrator under Section 17 of the Arbitration and Conciliation Act, 1996 is concerned, we had passed the aforesaid order, essentially bearing in mind the interest of the students who had been admitted to the post-graduate courses being 49 in number.
7. Learned senior counsel for the petitioners Sri Dhruv Mehta now submits that by 30.05.2026, the particulars of the college have to be uploaded on the portal of the sixth respondent-National Medical Commission; that there are as many as 150 MBBS seats which would have to be filled by the petitioner-college and unless there is access to the said portal and there is no other

impediment which would come in the way of admissions that could be made in future, the college would be deprived of filling-up of the seats. In this regard, the aforesaid prayers have been made which may be considered and granted.

8. Learned senior counsel Sri P. Chidambaram pointed out that in the interest of students, the first respondent-University may not come in the way of appropriate orders being made by this Court. He also submitted that the deemed Consent of Affiliation for the academic year 2025-2026 was granted by the order dated 11.02.2026, such an order may also be made for the academic year 2026-2027. However, there are three concerns which have been expressed by him: that the third petitioner-college must comply with the Regulations 26, 31 and 34 of the University Grants Commission(UGC) Regulations; that the Expert Committee has made certain observations and hence, there has to be compliance with those observations; and thirdly, that the Comptroller and Auditor General Report should also have to be complied with by the first respondent-University; that any lapse on the part of the petitioner-college may jeopardize not only the interest of the petitioner-college but also of the first respondent-University. He therefore submitted that certain directions may be issued to the petitioners in the context of those compliances.

9. In this regard, it was also pointed out that the communication dated 30.04.2026 issued by the first respondent-University to respondent No.6-National Medical Commission may not be pressed or acted upon by the latter.

10. We take note of the aforesaid submissions.

11. By way of response, learned senior counsel submitted that insofar as the admission to 150 MBBS seats is concerned, the petitioner-college shall maintain separate accounts and submit details of the fees and other payments record to the Registrar of the first respondent-University. The details of the fees and other payments received insofar as 49 post-graduate admissions would also to be given to the Registrar of the first respondent-University; that the petitioner-college shall also endeavour to comply with the concerns expressed by learned senior counsel appearing for the first respondent-University to the extent possible.

12. We have heard learned senior counsel for the sixth respondent-National Medical Commission.

13. In the circumstances, we direct that prayers (a), (d),

(e), (f) and (g) extracted above have to be granted and are accordingly granted.

Consequently, in continuation of our earlier order dated 11.02.2026, we observe that the Consent of Affiliation is deemed to have been granted by the first respondent-University in favour of the third petitioner-institution subject to the result of this Special Leave Petition for the academic year 2026-2027. This is particularly in respect of 150 seats of MBBS and 49 seats post-graduate seats for the very same academic year, namely, 2026-2027.

14. We again observe that the aforesaid order is passed having regard to the peculiar facts of this case where there is an arbitral dispute between two branches of the family and arbitral proceedings are subject to adjudication in this Special Leave Petition.

15. The pendency of this Special Leave Petition would not come in the way of the High Court adjudicating the Writ Petition(s) pending before it. The Writ Petition(s) shall be disposed of as expeditiously as possible.

(RADHA SHARMA)
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)
COURT MASTER (NSH)