



IN THE HIGH COURT OF KARNATAKA,
KALABURAGI BENCH
DATED THIS THE 19TH DAY OF DECEMBER, 2024
BEFORE
THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR
WRIT PETITION NO. 203808 OF 2024 (EDN-RES)

BETWEEN:

MAHADEVAPPA RAMPURE MEDICAL COLLEGE
SEDAM ROAD, KALABURAGI- 585 105.
REPRESENTED BY ITS DEAN
DR. SHARANAGOUDA S PATIL

...PETITIONER

(BY SRI. R.S. KADGANCHI,ADVOCATE)

AND:

1. MINISTRY OF HEALTH AND FAMILY WELFARE
GOVT. OF INDIA, OFFICE NO. 201-D,
NIRMAN BHAVAN, NEW DELHI – 110 011.
2. THE PRESIDENT
MEDICAL ASSESSEMENT AND RATING BOARD
NATIONAL MEDICAL COMMISSION
POCKET – 14 SECTOR-8, DWARAKA PAHSE-1
NEW DELHI – 77.
3. THE SECRETARY
MEDICAL ASSESSMENT AND RATING BOARD
NATIONAL MEDICAL COMMISSION
POCKET – 14, SECTOR8, DWARAKA PHASE-1
NEW DELHI – 77.

...RESPONDENTS

(BY SRI.SUDHIRSING.R. VIJAPUR, DSGI)

Digitally signed
by SUMITRA
SHERIGAR
Location: HIGH
COURT OF
KARNATAKA

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENTS 1 TO 3 TO OPEN THE OFFICIAL WEB SITE ENABLING THE PETITIONER MR MEDICAL COLLEGE TO UPLOAD THE INFORMATION OF PROPOSED INCREASE IN INTAKE OF PG SEAT OF REMAINING NINE DEPARTMENTS (29 PG SEATS) FOR ACADEMIC YEAR 2025-26 AS PER THE AFFILIATION OF CONSENT GRANTED BY RAJIV GANDHI UNIVERSITY DT. 21.11.2024 PRODUCED AT ANNEXURE-J1 TO J9.



THIS PETITION, COMING ON FOR FINAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, petitioner has sought for the following reliefs:-

“(a) Issue a writ in the nature of Mandamus, directing respondents 1 to 3 to open the official Web site, enabling the petitioner MR Medical College to upload the information of proposed increase in intake of PG seat of remaining Nine departments(29 PG Seats) for academic year 2025-26 as per the affiliation of consent granted by Rajiv Gandhi University Dt: 21.11.2024 produced at Annexure-J1 to J9.

“(b) Pass any such orders or direction under the circumstances Court deems fit in the interest of justice.”

2. Heard learned counsel for the petitioner and learned DSGI for the respondents and perused the material on record.

3. A perusal of the material on record will indicate that pursuant to the respondents issuing a public notice dated 18.09.2024 calling upon all colleges including the petitioner – Medical college to upload the information of proposed increase of PG seats online of the website / portal of the respondents for the Academic year 2025-26, the respondents extended the deadline



from time to time and finally to 10.12.2024. It is the grievance of the petitioner that due to bonafide reasons, unavoidable circumstances and sufficient cause, the petitioner was able to upload the information of the college only in relation to 2 Departments by the last date i.e., on 10.12.2024 and was not in a position to upload the information for the remaining 9 Departments and the petitioner sent an email in this regard immediately to the respondents 1 and 3 to re-open the website to enable the petitioner – Medical college to upload the information regarding remaining 9 Departments also. In this context, it is submitted that the petitioner has obtained Affiliation for the remaining 9 Departments also and as a special case, the respondents may be directed to permit the petitioner – college to upload the information in relation to remaining 9 Departments, which was not possible to be uploaded by 10.12.2024 and as such, the petitioner is before this Court by way of the present petition.

4. Per contra, learned DSGI for the respondents would submit that there is no merit in the petition and that the same is liable to be dismissed.



5. A perusal of the material on record will indicate that out of the 11 Departments in the petitioner – Medical college, the petitioner has uploaded the information only in relation to 2 Departments as on the last date i.e., 10.12.2024. However, in the light of the specific assertion on the part of the petitioner that its inability and omission to upload the information in relation to the remaining 9 Departments was not possible due to bonafide reasons, unavoidable circumstance and sufficient cause, coupled with the fact that if the petitioner – college is not permitted to upload the requisite information in relation to the remaining 9 Departments subsequent to 10.12.2024, 29 PG seats of the petitioner – Medical college would remain vacant, I deem it just and proper to adopt a justice oriented approach and in the peculiar / special facts and circumstances obtaining in the instant case direct the respondents to open the official website / portal and permit the petitioner to upload the information of the proposed increase in intake of the PG seats of the remaining 9 Departments (29 PG seats) for the Academic year 2025-26 as per the Affiliation of consent granted by RGUHS dated 21.11.2024 produced at Annexures-J1 to J9 in the present petition immediately upon a



receipt of a copy of this order and at any rate on or before
26.12.2024.

7. Subject to the aforesaid directions, petition stands
disposed of.

**Sd/-
(S.R.KRISHNA KUMAR)
JUDGE**

Srl.
List No.: 1 SI No.: 69