



388

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**Division Bench:** **Hon'ble Shri Sunil Kumar Sinha &**  
**Hon'ble Shri Radhe Shyam Sharma, J J.**

**W.P.(C) No. 642 of 2013**

**PETITIONER**

Maitri Education Society  
(A Society registered under the  
provisions of Chhattisgarh Societies  
Registrikaran Adhiniyam, 1973)  
running Maitri College of Dentistry &  
Research Centre, Through  
Secretary Mr. Rajesh Jain, Aged  
about 42 years, Registered Office at  
G.E. Road, Anjora, Post & PS  
Anjora, Durg (C.G.)

***Versus***

**RESPONDENTS**

- 1 Union of India Through the Secretary  
Department of Health & Family  
Welfare Dental Education Section,  
Nirman Bhawan, Post & PS New  
Delhi
- 2 Dental Council of India Through the  
Secretary Aiwan-E-Ghalib Marg,  
Kotla Road, Post & PS New Delhi

**(Writ Petition under Article 226 of the Constitution of India)**

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**Appearance:**

Mr. Sandeep Shrivastava, Advocate for the petitioner.

Mrs. Fouzia Mirza, Assistant Solicitor General for the respondents.

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**ORDER**  
**(22.05.2013)**

**Sunil Kumar Sinha, J.**

The matter is taken-up on Board.

I.A. No. 3/2013 for urgent hearing and I.A. No. 4/2013 for hearing during  
summer vacation both stand disposed of.

Heard.

The petitioner is running a Dental College. It had applied for permission to run MDS Courses in the specialties of (i) Periodontology with 3 seats; (ii) Orthodontics & Dentofacial Orthopedics with 3 seats; (iii) Conservative Dentistry and Endodontics with 3 seats; and (iv) Paedodontics and Preventive Dentistry with 3 seats, in academic session 2013-2014. The said application was rejected and a communication dated 26<sup>th</sup> of March, 2013 (Annexure-P/1) was issued to the Principal of College.

After receiving the said communication, the petitioner had filed Writ Petition (C) No. 538/2013 which was heard and disposed of vide order dated 23.4.2013 with following observations :-

"2) Mr. Shrivastava, learned counsel for the petitioner submits that the deficiencies pointed out by the Dental Council of India (DCI) vide its letter dated 28-2-2013 were already rectified by the petitioner society earlier and the DCI did not take cognizance on the communication sent by the petitioner and ultimately recommended to the Central Government for not granting permission to the petitioner society to run the courses under various disciplines referred to in the order dated 26-3-2013 issued by the Government of India (GoI). He seeks permission to withdraw this writ petition with liberty to file a detailed representation in this regard before the concerned authority.

3) Permission granted.

4) Accordingly, the writ petition is disposed of as withdrawn with the aforesaid liberty granted in favour of the petitioner. However, it is observed that if such a representation is filed, the concerned authority would try to dispose of the same, at the earliest."

According to Mr. Shrivastava, learned counsel for the petitioner, in light of the order dated 23-4-2013 passed in W.P.(C) No. 538/2013, the petitioner filed a representation on 30-4-2013, and when quick action was not taken on the representation, the instant writ petition was filed.

On 10-5-2013 when the matter came up for hearing, the Assistant Solicitor General submitted that the petitioner has rushed to the Court hurriedly, even without waiting for a breathing time. This Court, therefore, adjourned the matter for a week.

Mr. Shrivastava submits that the copies of both the orders have been made available to the concerned authority, but the representation of the petitioner dated 30-4-2013 has not been disposed of till date and the last date of admission, which according to him is 31<sup>st</sup> of May, 2013, is coming nearer. He submits that in view of the above facts and circumstances of the case, this writ petition may be disposed of with a direction to the concerned authority to dispose of the representation dated 30-4-2013, filed by the petitioner as per order dated 23-4-2013, at an early date so that in case the representation is allowed, the benefit may be extended to the petitioner.

Mrs. Fouzia Mirza, learned Assistant Solicitor General, submits on instructions from the Dental Council of India (DCI) that the representation of the petitioner has already been processed by DCI to the concerned authority for appropriate decision.

In view of all this and particularly in view of the earlier orders passed by this Court and the last date of admission, this writ petition is disposed of with a direction that if the representation dated 30-4-2013 filed by the petitioner has not been disposed of till date, the same shall be disposed of by the concerned authority as early as possible preferably within a period of seven days from the date of production of a certified copy of this order.

With the above observations/directions, the writ petition stands finally disposed of.

Cost made easy.

Certified copy today.

**Sd/-**  
**Sunil Kumar Sinha**  
**Vacation Judge**

**Sd/-**  
**Radhe Shyam Sharma**  
**Vacation Judge**