SHRI BABA MASTNATH AYURVEDIC COLLEGE AND ANOTHER Vs UNION OF INDIA AND OTHERS

Present: Mr. Gaurav Chopra, Sr. Advocate with
Mr. Akshay Bansal, Advocate and
Ms. Seerat Saldi, Advocate
for the petitioners.

Mr. Anil Chawla, Advocate for respondent No.1.

Mr. Angel Sharma, Advocate for respondents No.2 and 3.

Mr. Ranvir Sood, Advocate (P/332 B-1//2006) for respondent No.4.

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This matter has been placed before us, as the Bench before which the matter was otherwise to be listed is not holding Court today.

Considering the fact that if the College is not permitted to participate in the counselling by tomorrow, it would be ousted from the counselling process for the entire academic year, resulting in waste of teaching faculty resources. Although the students may take admission elsewhere, but the expertise of some teachers who may not be at fault would be affected. It is for the reason that despite the renewal application of the teachers pending consideration before the Council of Indian Medicines, Haryana, the College cannot compel to file a representation and the College has no locus standi to plead on their behalf. However, if they do not take their cases, College may replace them with other eligible teachers.

Counsel for the petitioner has further argued that the College is not being run with a profit motive but is being managed by a charitable organisation and has been imparting education for the last four decades in District Rohtak.

On the other hand, it has been pointed out by counsel for respondents No. 2 and 3 that the teachers mentioned at Serial Nos. 1 to 14 are ineligible and once the teachers themselves are ineligible, they cannot be permitted to impart education.

To this, we cannot lose sight of the fact that the application of the renewal of the enrolment of some teaching faculty of the college is still pending consideration. Out of the teachers mentioned at Serial Nos. 1 to 14, we are particularly concerned with the teachers mentioned at Serial Nos. 4 to 12, who are stated to have been teaching with the College.

In order to rule out the possibility that the aforesaid teachers were merely shown as teachers on paper, without actually discharging their teaching responsibilities, counsel for the petitioner submits that he shall produce authenticated copies of the bank statements of teachers from Serial No.4 to 12, duly certified by the Principal of the College or an authorised member of the Trust, by Chartered Accountant or Bank to demonstrate the payment of

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salary to the aforesaid teachers from the date of their respective joining till the date of their last salary.

In the entire factual background, the petitioner-College is permitted to participate in the counselling, subject to verification and approval of the bank statements of the teachers mentioned at Serial Nos. 4 to 12 by Mr. K. Kartikeya, Advocate, who is hereby authorised by this Court to undertake such verification. Such verification and approval be communicated to counsel for respondent No.4.

List on 18.11.2026.

This order shall be subject to the orders to be passed by the Regular Bench. Needless to say that the Regular Bench shall be at liberty to alter or modify the present order.

Counsel for the petitioner shall hand over attested copies of the bank statements of the aforesaid teachers to the office of Mr. K. Kartikeya, Advocate, who shall issue a certification regarding verification of the salary payments. Upon issuance of such certification, respondent No. 4 shall permit the petitioner-College to participate in the counselling process and the candidates who opt the petitioner-College, shall deposit the fee with respondent No.4.

(ANOOP CHITKARA)
JUDGE

(SUBHAS MEHLA)
JUDGE

13.11.2026
Jyoti Sharma

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