

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR.**

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S.B. Civil Writ No. 15742/2018.

1. The Tania University, Hanumangarh Road, Sri Ganganagar through its Registrar
2. J.R. Tania Charitable Trust, 2-A-6, Sukhadia Nagar, Sri Ganganagar through its Authorized Signatory Ashwini Gogia S/o Hari Chand Gogia, aged about 50 years.
3. Sri Ganganagar College Of Ayurvedic Science & Hospital, Hanumangarh Road, Sri Ganganagar through its Authorized Signatory Ashwini Gogia S/o Hari Chand Gogia, aged about 50 years.

-----Petitioners

Versus

1. The State Of Rajasthan through the Principal Secretary, Department of Ayurveda and Indian Medicine, Government of Rajasthan, Secretariat, Jaipur.
2. The Counseling Board BAMS, BUMS, BHMS, BNYS Counseling Dr. Sarvapalli Radha Krishnan Rajasthan Ayurved University, Nagaur Road, Karwar, Jodhpur Through Chairman, Counseling Board.
3. Fee Regulatory Committee, for the State Of Rajasthan through its Member Secretary, Principal Secretary, Department Of Ayurveda and Indian Medicine, Government of Rajasthan, Government Secretariat, Jaipur.

-----Respondents

For Petitioner(s) : Mr. Kuldeep Mathur.
Mr. Akhilesh Rajpurohit.

HON'BLE MR. JUSTICE ARUN BHANSALI**Order****12/10/2018**

It is submitted by the learned counsel for the petitioners that in a similar nature writ petition, the Jaipur Bench of this Court has ordered for issuance of notices and has granted interim order.

In view of the submissions made by the learned counsel for the petitioners, issue notice. Issue notice of the stay application also. Both the notices are made returnable within a period of four weeks.

Notices, when issued, be given 'Dasti' to the learned counsel for the petitioners.

In the meanwhile, the petitioner – Institution is allowed to proceed further with the admission process. However, the fees charges shall remain subject to the final out-come of this writ petition and Petition(s) for Special Leave to Appeal (C) No. 35001/2013 titled as "Mahatma Gandhi University of Medical Science & Technology Vs, Sachin Mehta & Ors." pending before Hon'ble the Supreme Court.

The learned counsel for the petitioners on instructions from the petitioners on their behalf also undertakes to refund the amount of fees, if it is found in excess what ultimately this Court/Hon'ble Supreme Court may determine.

Besides the above, it would be required of the petitioners to specifically indicate on the fee receipts issued to the students that the amount of fees, being recovered, by the petitioners – Institution shall be subject to the final out-come of the present writ petition as well as Special Leave Petition indicating full particulars of the pending matters.

(ARUN BHANSALI), J.