

SUPREME COURT OF INDIA

Medical Council of India

Vs.

Akash Education & Development Trust & Ors.

CA.No.6813-6814 of 2015

(Anil R.Dave and Adarsh Kumar Goel,JJ.,)

02.09.2015

JUDGMENT

Anil R.Dave,J.,

SLP (Civil)No.16258-16259 of 2015

1. Leave granted.
2. We have heard the learned counsel appearing for the parties and considered the facts of the case.
3. Upon perusal of the impugned judgment delivered by the High Court, we find that the High Court has given direction to the appellant-Medical Council of India to carry out inspection of the respondent-institution within a particular time.
4. In our opinion, such a direction could not have been given in view of the fact that the inspection at a belated stage is against the provisions of the Medical Council of India Establishment of Medical College Regulations, 1999. Moreover, in view of the law laid down by this Court in *Priya Gupta Vs. State of Chhattisgarh & Ors*¹. and *Royal Medical Trust (Regd.) & Anr. Vs. Union of India & Anr*². such a direction is not justifiable.
5. In the circumstances, we quash the direction and set aside the impugned judgment delivered by the High Court. The appeals stand disposed of as allowed with no order as to costs.
6. Pending application, if any, stands disposed of.

¹(2012) 7 SCC 0433

²(2015) 9 Scale 0068