

Avanish Mishra  
(Auro)

CH. NO-87 H-C. Auro.

10052  
05-11-14

C.M.W.P. NO 31904/91

D.H. Allaha Bad

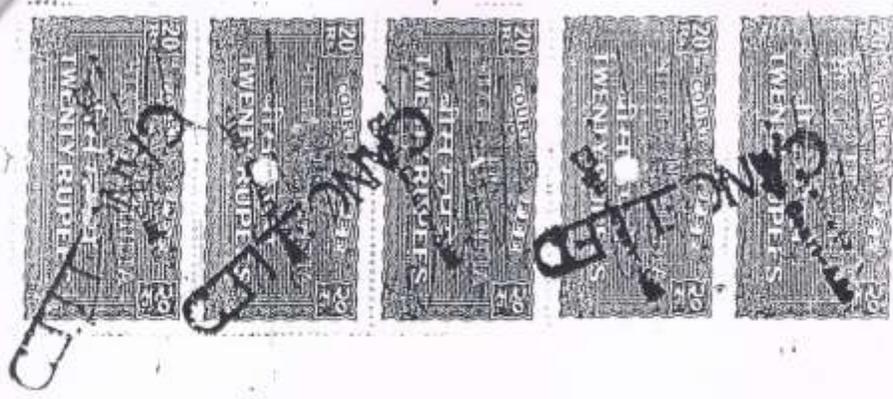
Natural Electro Homeopathy  
Medicos of Gandia

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The Director General of Health  
Services, Norman Bhawan, New  
Delhi and Or.



Date of Application 05-11-14  
Date of Receipt 05-11-14  
Date of Issue 05-11-14  
Stamp 10 Rupees



IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

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CIVIL MISC. WRIT PETITION NO. 31904 OF 1991  
(Under Article 226 of the Constitution of India)  
(District Allahabad)

NATURO Electro Homeopathy Medicos of  
India Branch at 91-B Mehndauri Colony,  
Allahabad through its Chairman Sri Shanti

*37327*  
*15/11/91*

Notice No. 1964  
Date 21/10/91  
22/10/91  
Govt. of U.P. Court  
ALLAHABAD

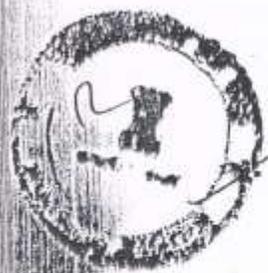
Swarup Agnihotri s/o Sri J.P. Agnihotri

.... Petitioner

Versus

1. The Director General of Health Services,  
Nirman Bhawan, New Delhi
2. The Director General Council for Research  
in Homeopathy ( Ministry of Health & Family  
Welfare) Government of India, Janakpuri,  
New Delhi
3. Union of India, through Secretary, Medical  
Health & Family Welfare, Nirman Bhawan,  
New Delhi
4. Union of India, through Ministry of Health  
and Family Welfare, Nirman Bhawan, New Delhi

.... Opp. parties



COURT NO.28

CIVIL MISC. WRIT PETITION NO. 31904 OF 1991

Naturo Electro Homoeopathy Medicos of India.....Petitioner

Versus

The Director General of Health Services,  
Nirman Bhawan, New Delhi and others .....Respondents.  
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Hon. Tarun Agarwala, J.

Heard Sri V.C.Misra, the learned Senior Counsel for the petitioner and Sri Akhilesh Kumar Misra, the learned counsel for the Union of India.

The petitioner had earlier filed Writ Petition No. Nil of 1991, seeking a writ of mandamus directing the Secretary, Government of India, Health and Family Welfare to recognize the three years course of B.E.M.S. run by the petitioner. The petitioner submitted that an expert committee had recommended that the B.E.M.S. course should be recognised in spite of which, the Ministry, the respondent No.3, was not taking any action. The Court, after considering the matter, disposed of the writ petition by its order dated 5.9.1991, directing the Secretary, Ministry of Health and Family Welfare, New Delhi to decide the representation within three months after taking into consideration the communication of the Deputy Ministry, Health and Family welfare, dated 14.6.1991.

Without waiting for the disposal of the representation of the petitioner and before the expiry of the period granted by the Court, the petitioner preferred another writ petition on 29.10.1991 seeking more or less the same relief and, in addition to it, has also prayed for the quashing of the order dated 15.5.1987. A perusal of this order indicates that the Ministry of Health and Family Welfare had only asked the petitioner to submit details and specialities about the system.

In my view, the petitioner has unnecessarily approached the Writ Court and should have awaited the disposal of its representation as per the earlier order of the Court.

This petition has remained pending for the last 17 years, and as per

shri Jay Namata, J.

the statement made by the learned counsel for the petitioner, no orders has yet been passed by the Ministry itself. The learned counsel for the petitioner further submitted that similar matters of other institutions were rejected by the respondent, against which, writ petitions were filed in various High Courts and orders have been passed directing the Ministry to pass appropriate orders afresh. Such orders have been annexed with the supplementary affidavit. The learned counsel for the applicant further submitted that the orders of the High Court have been affirmed by the Supreme Court.

This petition is accordingly disposed of with the direction that the petitioner may file a fresh representation before the Ministry of Health and Family Welfare, New Delhi, bringing on record the various orders passed by various High Courts and that of the Supreme Court. If such a representation is made with regard to recognition of the course, the authority will consider and decide the matter by a reasoned and speaking order within six months from the date of the production of a certified copy of this order along with the representation. If necessary, the petitioner would be accorded personal opportunity of hearing by the respondents.

Dated: 3.8.2009  
AKJ

Sd/- Tarun Aggarwala, J.

Compared by  
R  
2/11/14



**TRUE COPY**  
Hiranand  
S. T. - 11/14  
Copying 'D' Department  
High Court, Allahabad

