

2025:PHHC:119711-DB

CWP-25928-2025 (O&M)  
Date of Decision: 04.09.2025

PDM Dental College and Research Institute

...Petitioner

Vs.

Union of India and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA  
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Akshay Jindal, Advocate for the petitioner.

Mr. Anil Chawla, Sr. Panel Counsel for Union of India.

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**ASHWANI KUMAR MISHRA, J. (Oral)**

1. Petitioner is aggrieved by the order of respondent – Union of India dated 25.06.2025, approving the recommendations of the Dental Council of India, primarily on the ground that the impugned action violates the principles of natural justice.

2. It is urged that on the date fixed for hearing before the Union of India, there was a death in the family of the petitioner, as a result of which, none could appear and the request for adjournment was not entertained by the authorities leading to passing of the order impugned.

3. Taking cognizance of such submissions, we passed the following order on 02.09.2024:-

*“It is contended that on the date fixed, there was demise in the family of the Chairman due to which appropriate representation*

*could not be made and an ex parte order dated 25.06.2025, has been passed which is impugned in this petition. It is, therefore, submitted that fresh opportunity of hearing ought to be extended to the petitioner.*

*Adjourned to 04.09.2025, in order to enable counsel for the UOI to obtain instructions.”*

4. Learned counsel for the Union of India on the basis of instructions obtained submits that on the first date fixed in the matter, the petitioner sought a month's adjournment, where after, the hearing was adjourned on a date which was after 30 days. Even on that date since none had appeared, therefore, the authorities had no option but to accept the recommendations and pass the order impugned.

5. Be that as it may, in the facts of the case, it is apparent that the non-appearance of the petitioner's representative was for reasons beyond their control, as there was demise in the immediate family of the Chairman.

6. In such circumstances, without observing any further, we are of the view that a post decisional hearing be given to the petitioner and the order impugned in the present writ petition can be kept subject to such fresh order to be passed by the authorities.

7. In that view of the matter, we dispose of this writ petition with direction upon first respondent to consider and decide the matter afresh after affording opportunity of post decisional hearing to the petitioner within a period of two weeks from the date of presentation of copy of this order. The order under challenge shall abide by the order to be passed by the first respondent. This order has been passed in the peculiar facts of the case and shall not be treated as laying down any binding precedent.

8. All pending misc. application(s), if any, also stand disposed of.

**(ASHWANI KUMAR MISHRA)**  
**JUDGE**

**(ROHIT KAPOOR)**  
**JUDGE**

04.09.2025

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1. Whether speaking/reasoned? : Yes/No  
2. Whether reportable? : Yes/No