

**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

WP No. 27497 of 2025

(LAW STUDENTS ASSOCIATION Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Heard on: 12/08/2025

Delivered on: 20/08/2025

(Heard Shri Alok Vagrecha - Advocates for the petitioner.

Shri Vishal Baghel - Present in person.

Shri Sanjay K. Agrawal - Senior Advocate with Shri Siddharth Kumar Sharma - Advocate for the respondents No.2 and 4.

Shri Abhijeet Awasthi - Dy. Advocate General for the respondent No.1/State.

Heard on I.A No. 15502/2025 which is an application u/s. 379 of the BNSS r/w. s. 215(1)(B) BNSS seeking initiation of proceedings for perjury before this Court and Criminal Contempt of this Court, by Dr. Sheloj Joshi, the worthy Registrar of the Para Medical Council of Madhya Pradesh.

2. The Ld. Counsel for the Petitioner has argued that the Respondent paramedical council has perjured before this court by stating falsely that no students were admitted to any of the institutions before affiliation was granted by the MP Medical Science University or any other university. In this regard, Ld. Counsel for the petitioner has drawn the attention of this Court to the chart from page seven onwards which is a comparative chart of the averments made before this court in the reply of the paramedical

council dated 21/07/2025 and the averments made before the Supreme Court in SLP No, 20721/2025.

3. As per the Ld. Counsel for the Petitioners, in page 4 paragraph 5 of the reply filed before this court, it has been averred by the respondent paramedical Council that it does not permit any paramedical institution to grant admission to any student for any paramedical course, without first obtaining recognition from the MP paramedical council and thereafter affiliation from the Medical University of the State. In the SLP before the Supreme Court, the same paramedical council has stated that the impugned order passed by this Court on 16/07/2025, has jeopardised the future of thousands of students who had taken admission in various paramedical courses across the State of MP. It is further averred in the SLP that while the entire admission process has already been concluded for the academic session 2023-24 and that the session was in progress with 21,894 students on board. On 16/07/2025, before the order was passed by this Court, this court had specifically asked the learned Sr. Counsel appearing for the Paramedical Council if students had been admitted to any of the paramedical colleges to which the answer given to this Court by the Ld. Sr. Counsel for the Paramedical Council was that no students have been admitted to any of the paramedical courses for the year 2023-24 as the recognition to 166 paramedical colleges by the Paramedical Council was

only granted in February 2025. It was only on account of the said submission made by the Ld. Sr. Counsel for the Paramedical Council that this Court had passed the order barring admissions for the 2023-24 session under the impression that no one would be adversely affected as admissions have not commenced.

4. Likewise, the paramedical counsel in its reply at page 9, paragraph 14 has stated on oath that after the grant of recognition for any paramedical course for any academic session by the MP Paramedical Council, the institute concerned has to first obtain affiliation from the respondent number five that is the MP Medical Science University or any other university concerned as the case may be, and only thereafter. Admission to the students for such academic session could be given by the. It was further averred that upon receiving such affiliation and after giving admission to the students, it was mandatory for every institution to upload the list of students who have been granted admission on the website of the MP paramedical Council. On the other hand, in the SLP before the Supreme Court, the paramedical council has averred that 21,894 students have been admitted by the recognised paramedical institutions for the academic session 2023-24 and their session is in continuation as of now. It is also stated in the SLP that the admission status of the 21,894 students has been apprised to the honourable High Court. Learned counsel for the petitioners

has stated that till date, the MP Medical Science University has not given its affiliation to any of these paramedical colleges.

5. Thus, learned counsel for the petitioner has submitted that three to four more such instances of false submissions have been made before this court, which is apparent when the reply of the paramedical counsel before this Court is compared with the averments made by the paramedical counsel before the Supreme Court in the SLP.
6. On the basis of the aforementioned arguments, the learned counsel for the petitioner has prayed that this court issues notice on the IA for prosecuting Dr. Sheloj Joshi, who is the worthy Register of the MP paramedical council who has sworn the affidavits in support of the reply before this court and the SLP before the Supreme Court.
7. At this juncture this Court feels that it would not be appropriate to issue notice on this application for prosecuting Dr Sheloj Joshi for perjury as the present IA has been filed in WP No. 27497/2025, in which this court had passed an order on 07/08/2025, which also has been challenged before the Hon'ble Supreme Court of India in SLP number 22699/2025 , in which the Supreme Court has voiced its concern against this court for having proceeded with WP No. 27497 of 2025 by not having appropriately construed the order dated 01/08/2025, passed by the Supreme Court in SLP No. 20721/2025, by which further proceedings in WP No. 27497/2025

itself were stayed by necessary implication, while this Court construed the order dated 01/08/2025 passed in SLP No. 20721/2025 limited to the extent of staying the operation of the interim order dated 16/07/2025 passed by this Court in WP No. 27497/2025 by which this Court had stayed the admission process to the 166 colleges for the year 2023-24 for whom recognition had been granted by the paramedical council of Madhya Pradesh as late as February 2025.

8. This Court understood the effect of staying of the order dated 16/07/2025, as limited to granting liberty to the 166 paramedical colleges in MP to proceed with accepting admissions to their institutions in the year 2025 for the academic year 2023-24, while the Hon'ble Supreme Court, *inter alia* examined the legality of the paramedical colleges having inducted 21894 students in the year 2023-24 without any recognition granted to them by the Paramedical Council and without any affiliation granted to any of the colleges by the M.P. Medical Science University, a *sine qua non* before even a single student could have been enrolled by any of these colleges.
9. However, this Court, regrettably failed to appreciate that when the Hon'ble Supreme Court, vide order dated 01/08/2025 passed in SLP No. 20721/2025, stayed the order dated 16/07/2025 passed by this Court in WP No. 27497/2025, it intended to stay the entire proceedings before this Court in WP No. 20721/2025. This Court, in all humility, wishes to record that it

is most cognizant of the hierarchy of Courts and of judicial discipline and is most conscious of the judicial inferiority of this Court viz-a-viz the Supreme Court and would never ever, deliberately, pass an order constituting judicial overreach.

10. Coming to the latest order of the Hon'ble Supreme Court dated 14/08/2025 passed in SLP No. 22699/2025 where by challenge is given to the order of this Court dated 07/08/2025 passed in WP No. 27497/2025 where *inter alia*, the Supreme Court has unambiguously and unequivocally stayed further proceedings in WP. No. 27497/2025. Therefore, the proceedings in IA No. 15502/2025, for the time being cannot go on against Dr. Sheloj Joshi, the worthy Registrar of the Paramedical Council. **Consequently, proceedings in WP No. 27497/2025 are adjourned *sine die*.**

(ATUL SREEDHARAN)
JUDGE

(PRADEEP MITTAL)
JUDGE