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W.P(C)No. 29 OF 2003

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ITEM NO.101 P.H.

COURT NO. 1

SECTION X & XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition No. 29 of 2003@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

Saurabh Chaudri and Ors. ... Petitioner(s)

Vs.

Union of India and Ors. ... Respondent (s)

(With appln. for stay)

With

I.A. No. 5 (Appln. for intervention)

I.A. No. 2 (Appln. for impleadment)

I.A. No. 4 (Appln. for revocation of Court's order dated 7.2.2003)

With

W.P.(C) No. 54 of 2003

(With appln. for ex-parte stay)

W.P.(C) No. 57 of 2003

(With appln. for ex-parte stay)

W.P.(C) No. 68 of 2003

(With appln. for directions)

W.P.(C) No. 69 of 2003

(With appln. for directions)

W.P.(C) No. 84 of 2003

(With appln. for stay and office report)

S.L.P.(C) No. 1347 of 2002

(With appln. for directions, prayer for interim relief
and office report)

W.P.(C) No. 85 of 2003

(With appln. for directions)

W.P.(C) No. 89 of 2003

(With appln. for stay)

W.P.(C) No. 91 of 2003

(With appln. for stay)

W.P.(C) No. 95 of 2003

(With appln. for stay)

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W.P.(C) No. 98 of 2003

(With appln. for stay)

W.P.(C) No. 99 of 2003
(With appln. for interim relief)

W.P.(C) No. 100 of 2003
(With appln. for stay)

W.P.(C) No. 184 of 2003
(with appln. for stay)

Date: 24-04-2003 This/These matter(s) was/were called on for
hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For petitioner(s)
in WP 29,54,57,69,
85,89 & 95/2003: Mr. H.N. Salve, Sr.Adv. (NP)
Mr. M.C. Dhingra, Adv.
Ms. Gulnar Khan, Adv.

in WP 68/2003: Mr. S. Sadashiva Reddy, Adv.
Ms. Sudha Gupta, Adv.

in WP 84/2003: Mr. Syed Ali Ahmad, Adv.
Mr. Syed Tanweer Ahmad, Adv.
Mr. Mohan Pandey, Adv.

in SLP 1347/2002: Mr. Sanjay Visen, Adv.
Mr. A.S. Bhasme, Adv.
Mr. Manoj K. Mishra, Adv.

in WP 91/2003: Mr. S.K. Bhattacharya, Adv.

in WP 98/2003: Mr. M.N. Shroff, Adv.

in WP 99/2003: Mr. A D N Rao, Adv.
Mr. Rajiv K Garg, Adv.
Ms. Vinita Sinha, Adv.

in WP 100/2003: Mr. Abhijeet Chatterjee, Adv.
Mr. Chanchal Kumar Ganguli, Adv.

in WP 184/2003: Ms. Kamini Jaiswal, Adv.

For respondent (s)
U.O.I: Mr. Kirit N Raval, SG (NP)
Mr. Kailash Vasdev, Sr. Adv.
Ms. Rekha Pandey, Adv.
Ms. Sunita Sharma, Adv.
Mr. D.S. Mahra, Adv.

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M.C.I: Mr. Kirit N. Raval, SG (NP)
Mr. Maninder Singh, Adv.
Ms. Pratibha M. Singh, Adv.
Mr. Ankur Talwar, Adv.

Delhi University Mr. A. Mariarputham, Adv.

& State of Sikkim: Ms. Aruna Mathur, Adv.
Mr. Anurag D. Mathur, Adv.
for M/s. Arputham, Aruna and Co., Advs.

Nos. 6-9 in WP 29/03 and applicant in I.A. No. 4 Mr. Shanti Bhushan, Sr. Adv.
Ms. Kamini Jaiswal, Adv.
Ms. Shyomila Bakshi, Adv.

Impleading party in WP 29/2003: Mr. M.N. Shroff, Adv.

Nos. 1-4 in SLP 1347: Mr. Subodh Markandeya, Sr. Adv.
Mr. Ashok K. Srivastava, Adv.
Mr. Rajeev Kumar Dubey, Adv.

No. 7 in SLP 1347: Mr. Ashok K. Mahajan, Adv.

No. 5 in SLP 1347: (State of Kerala) Mr. K.R. Sasiprabhu, Adv.
Mr. John Mathew, Adv.

State of Assam: Mr. Amrit Phukan, Adv. Genl.
Ms. Krishna Sarma, Adv.
Ms. Asha G. Nair, Adv.
for M/s. Corporate Law Group, Advs.

State of Arunachal Pradesh: Mr. Anil Srivastav, Adv.

State of Bihar: Mr. B.B. Singh, Adv.

State of Gujarat and Mizoram: Ms. H. Wahi, Adv.
Ms. Aruna Gupta, Adv.

State of Goa: Ms. A. Subhashini, Adv.

State of Haryana: Mr. Mahendra Anand, Sr. Adv.
Mr. Satinder S. Gulati, Adv.
Mr. Neeraj Kumar Jain, Adv.
Ms. Kavita Wadia, Adv.

State of H.P.: Mr. J.S. Attri, Adv.

State of Karnataka: Mr. Sanjay R. Hegde, Adv.
Mr. Satya Mitra, Adv.
Mr. Anil K. Mihra, Adv.

State of Manipur: Mr. K.H. Nobin Singh, Adv.

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State of Maharashtra: Mr. U.U. Lalit, Adv.
Mr. S.S. Shinde, Adv.
Mr. Mukesh K. Giri, Adv.

State of Meghalaya: Mr. Ranjan Mukherjee, Adv.

State of M.P.: Ms. Kamakshi S. Mehlwal, Adv.

State of Nagaland: Mr. S.K. Nandy, Adv.

State of Orissa: Mr. R.S. Jena, Adv.

State of Punjab: Mr. R.S. Suri, Adv.

State of Rajasthan: Ms. Sandhya Goswami, Adv.

State of T.N.: Mr. A.T.M. Sampath, Adv.
Mr. V. Balaji, Adv.
Mr. P.N. Ramalingam, Adv.

State of Tripura: Mr. Gopal Singh, Adv.
Mr. Navin Prakash, Adv.

State of U.P.: Mr. A.S. Pundir, Adv.

State of W.B.: Mr. T.C. Sharma, Adv.
Ms. Neelam Sharma, Adv.
Mr. Ajay Sharma, Adv.
Mr. Rajeev Sharma, Adv.
Mr. Rupesh Kumar, Adv.

NCT, Delhi, U.T. of Ms. Sunita Sharma, Adv.
Andaman & Nicobar Mr. D.S. Mehra, Adv.
Island and Dadar,
Nagar Haveli &
Lakshadweep:

State of J & K: Mr. Altaf H. Naik, Adv.Genl.
Mr. Anis Suhrawardy, Adv.

U.T.of Pondicherry: Mr. V.G. Pragasam, Adv.

State of Chhatisgarh: Mr. Prakash Srivastava, Adv.

State of Uttaranchal: Mr. J.K. Bhatia, Adv.

State of Jharkhand: Mr. Ashok Mathur, Adv.

For Applicant in Mr. R.F. Nariman, Sr. Adv.
I.A. No. 5 in Mr. Nikhil Nayyar, Adv.
WP(C) 29/03 Mr. Gautam Narayan, Adv.

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For AIIMS: Mr. Mukul Gupta, Adv.
Mr. Ekram Ali, Adv.

UPON hearing counsel, the Court made the following
O R D E R

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Mr. R.F. Nariman, learned senior counsel resumed his arguments at 10.30 A.M. and concluded at 12.00 noon. Thereafter, Mr. Shanti Bhushan, learned senior counsel for the private respondents in W.P.(C) No. 29/2003 started his arguments and was on his legs when the Court rose for the day.

The matters remained part-heard.

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(Ajay Kr. Jain)
Court Master

(S. Krishnan)
Court Master

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition No. 29 of 2003@@
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Saurabh Chaudri and Ors. ... Petitioner(s)

Vs.

Union of India and Ors. ... Respondent (s)

(With appln. for stay and impleading party and revocation of court's order dated 7.2.2003 and intervention)

With

W.P.(C) No. 54 of 2003
(With appln. for ex-parte stay)

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(With appln. for stay)

W.P.(C) No. 184 of 2003
(with appln. for stay)

Date: 29-04-2003 This/These matter(s) was/were called on for
hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For petitioner(s)

in WP 29,54,57,69,
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in WP 98/2003: Mr. M.N. Shroff, Adv.

in WP 99/2003: Mr. A D N Rao, Adv.
Mr. Rajiv K Garg, Adv.

in WP 100/2003: Mr. Abhijeet Chatterjee, Adv.
Mr. Chanchal Kumar Ganguli, Adv.

in WP 184/2003: Ms. Kamini Jaiswal, Adv.

For respondent (s)

U.O.I: Mr. Soli J Sorabjee, AG
Mr. Kailash Vasdev, Sr. Adv.
Ms. Rekha Pandey, Adv.
Ms. Sunita Sharma, Adv.
Mr. D.S. Mahra, Adv.

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M.C.I: Mr. Soli J Sorabjee, AG
Mr. Maninder Singh, Adv.
Ms. Pratibha M. Singh, Adv.
Mr. Ankur Talwar, Adv.
Mr. Kirtiman Singh, Adv.

Delhi University
& State of Sikkim: Mr. A. Mariarputham, Adv.
Ms. Aruna Mathur, Adv.
Mr. Anurag D. Mathur, Adv.
for M/s. Arputham, Aruna and Co., Adv.

Nos. 6-9 in WP 29/03 and applicant in I.A. No. 4 Mr. Shanti Bhushan, Sr. Adv.
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Ms. Shyomila Bakshi, Adv.

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Mr. Ashok K. Srivastava, Adv.

No. 7 in SLP 1347: Mr. Ashok K. Mahajan, Adv.

No. 5 in SLP 1347: (State of Kerala) Mr. K.R. Sasiprabhu, Adv.(NP)

State of Assam: Mr. Amrit Phukan, Adv.Genl.
Ms. Krishna Sarma, Adv.
Ms. Asha G. Nair, Adv.
Mr. V.K. Sidharthan, Adv.
for M/s. Corporate Law Group, Adv.

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State of Bihar: Mr. B.B. Singh, Adv.(NP)

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Ms. Aruna Gupta, Adv.

State of Goa: Mr. ANS Nadkarni, Adv. Genl.
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Mr. Satinder S. Gulati, Adv.
Mr. Neeraj Kumar Jain, Adv.
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State of Manipur: Mr. K.H. Nobin Singh, Adv.

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State of Maharashtra: Mr. U.U. Lalit, Adv.
Mr. S.S. Shinde, Adv.
Mr. Mukesh K. Giri, Adv.

State of Meghalaya: Mr. Ranjan Mukherjee, Adv.

State of M.P.: Ms. Kamakshi S. Mehlwal, Adv.(NP)

State of Nagaland: Mr. N Dutta, Adv. Genl.
Mr. Kailash Vasdev, Sr. Adv.
Ms. V D Khanna, Adv.
Mr. S.K. Nandy, Adv.(NP)

State of Orissa: Mr. R.S. Jena, Adv.(NP)

State of Punjab: Mr. R.S. Suri, Adv.

State of Rajasthan: Mr. Ranji Thomas, Adv.

Ms. Bharati Upadhyaya, Adv.
Mr. V N Raghupathy, Adv.
Ms. Sandhya Goswami, Adv.(NP)

State of T.N.: Mr. A.T.M. Sampath, Adv.
Mr. V. Balaji, Adv.
Mr. P.N. Ramalingam, Adv.

State of Tripura: Mr. Gopal Singh, Adv.
Mr. Navin Prakash, Adv.

State of U.P.: Mr. A.S. Pundir, Adv.(NP)

State of Uttaranchal Mr. Jatinder Kumar Bhatia, Adv.

State of W.B.: Mr. T.C. Sharma, Adv.
Ms. Neelam Sharma, Mr. Rupesh Kumar, Mr. Ajay
Sharma and Mr. Rajeev Sharma, Adv.
Mr. Rajeev Sharma, Adv.
Mr. Rupesh Kumar, Adv.

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Island and Dadar,
Nagar Haveli &
Lakshadweep:

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Mr. Anis Suhrawardy, Adv.
Ms. Shamama Anis, Adv.

U.T.of Pondicherry: Mr. V.G. Pragasam, Adv.

State of Chhatisgarh: Mr. Prakash Srivastava, Adv.

State of Jharkhand: Mr. Ashok Mathur, Adv.

For Applicant in Mr. R.F. Nariman, Sr. Adv.(NP)
I.A. No. 5 in Mr. Nikhil Nayyar, Adv.
WP(C) 29/03 Mr. Gautam Narayan, Adv.

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For AIIMS: Mr. Mukul Gupta, Adv.
Mr. Ankur Jain, Adv.
Mr. T A Khan, Adv.

UPON hearing counsel, the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
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Mr.Shanti Bhushan, learned senior counsel resumed his arguments at 10.30 A.M. and concluded at 11.55 A.M. Thereafter, learned Attorney General made his submissions till 12.35 P.M. Mr. A Mariarputham, learned counsel appearing for University of Delhi and State of Sikkim, then, commenced his arguments and concluded at 2.55 P.M. Thereafter, Mr. Sanjay R Hegde, learned counsel appearing for State of Karnataka addressed the Court till 3.15 P.M. Thereafter, Mr. R S Suri, learned counsel appearing for State of Punjab, Mr. A Phukan, learned Advocate General appearing for State of Assam, Mr. T C Sharma, learned counsel appearing for State of West Bengal, Mr. Subodh Markandeya, learned senior

counsel appearing for State of Uttar Pradesh, Mr. A S Bhasme, learned counsel appearing for the petitioner in SLP(C) No. 1347/2002 and Ms. Kamini Jaiswal, learned counsel appearing for the petitioners in WP(C) No. 184/2003 made their brief submissions for 20 minutes. Thereafter, Mr. Harish N Salve, learned senior counsel made his rejoinder submissions.

Arguments concluded.

WP(C) No. 184/2003 is delinked. Judgment is reserved in all other matters. Put up these matters on 1st May, 2003 at 10.30 A.M. for interim orders.

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(Alka Dudeja)	(D.P. Walia)	(S. Krishnan)
Court Master	Court Master	Court Master

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L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R
ITEM NO.1A COURT NO. 1 SECTION X & XVI
(For interim orders)

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition No. 29 of 2003@@
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Saurabh Chaudri and Ors. ... Petitioner(s)

Vs.

Union of India and Ors. ... Respondent (s)

(With appln. for stay and impleading party and revocation of court's order dated 7.2.2003 and intervention)

With

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W.P.(C) No. 57 of 2003

W.P.(C) No. 68 of 2003

W.P.(C) No. 69 of 2003

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(with office report)

S.L.P.(C) No. 1347 of 2002
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W.P.(C) No. 91 of 2003

W.P.(C) No. 95 of 2003

W.P.(C) No. 98 of 2003

W.P.(C) No. 99 of 2003

W.P.(C) No. 100 of 2003

Date: 01-05-2003 These matters were listed for pronouncement of interim orders.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For petitioner(s)
in WP 29,54,57,69,
85,89 & 95/2003: Mr. M.C. Dhingra, Adv.
Ms. Gulnar Khan, Adv.

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in WP 68/2003: Mr. S. Sadashiva Reddy, Adv.
Ms. Sudha Gupta, Adv.

in WP 84/2003: Mr. Syed Ali Ahmad, Adv.
Mr. Syed Tanweer Ahmad, Adv.
Mr. Mohan Pandey, Adv.

in SLP 1347/2002: Mr. A S Bhasme, Adv.
Mr. Sanjay Visen, Adv.
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in WP 91/2003: Mr. S.K. Bhattacharya, Adv.

in WP 98/2003: Mr. M.N. Shroff, Adv.

in WP 99/2003: Mr. A D N Rao, Adv.
Mr. Rajiv K Garg, Adv.

in WP 100/2003: Mr. Abhijeet Chatterjee, Adv.
Mr. Chanchal Kumar Ganguli, Adv.

For respondent (s)
U.O.I:

Mr. Kailash Vasdev, Sr. Adv.
Ms. Rekha Pandey, Adv.
Ms. Sunita Sharma, Adv.
Mr. D.S. Mahra, Adv.

M.C.I:

Mr. Maninder Singh, Adv.
Ms. Pratibha M. Singh, Adv.
Mr. Ankur Talwar, Adv.
Mr. Kriti Maan Singh, Adv.

Delhi University
& State of Sikkim: Mr. A. Mariarputham, Adv.
Ms. Aruna Mathur, Adv.
Mr. Anurag D. Mathur, Adv.
for M/s. Arputham, Aruna and Co., Adv.

Nos. 6-9 in WP 29/03
and applicant in
I.A. No. 4 Mr. Shanti Bhushan, Sr. Adv.
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Ms. Shyomila Bakshi, Adv.

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No. 5 in SLP 1347: Mr. K.R. Sasiprabhu, Adv.(NP)
(State of Kerala)

State of Assam:

Ms. Krishna Sarma, Adv.
Ms. Asha G. Nair, Adv.
Mr. V.K. Sidharthan, Adv.
for M/s. Corporate Law Group, Adv.

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:3:

State of Arunachal
Pradesh:

Mr. Anil Srivastav, Adv.

State of Bihar:

Mr. B.B. Singh, Adv.(NP)

State of Gujarat and
Mizoram:

Ms. H. Wahi, Adv.
Ms. Aruna Gupta, Adv.

State of Goa:

Ms. A. Subhashini, Adv.

State of Haryana:

Mr. Satinder S. Gulati, Adv.
Mr. Neeraj Kumar Jain, Adv.
Ms. Kavita Wadia, Adv.(NP)

State of H.P.:

Mr. J.S. Attri, Adv.

State of Karnataka:

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Mr. Satya Mitra, Adv.
Mr. Anil K. Mihra, Adv.

State of Manipur:

Mr. K.H. Nobin Singh, Adv.

State of Maharashtra:

Mr. U.U. Lalit, Adv.
Mr. S.S. Shinde, Adv.
Mr. Mukesh K. Giri, Adv.

State of Meghalaya:

Mr. Ranjan Mukherjee, Adv.

State of M.P.:

Ms. Kamakshi S. Mehlwal, Adv.(NP)

State of Nagaland:

Mr. Nillay Dutta, Adv. Genl.
Mr. Kailash Vasdev, Sr. Adv.
Ms. V D Khanna, Adv.
Mr. S.K. Nandy, Adv.(NP)

State of Orissa:

Mr. R.S. Jena, Adv.(NP)

State of Punjab:

Mr. R.S. Suri, Adv.

State of Rajasthan:

Mr. Ranji Thomas, Adv.
Ms. Bharati Upadhyaya, Adv.
Mr. V N Raghupathy, Adv.
Ms. Sandhya Goswami, Adv.(NP)

State of T.N.:

Mr. A.T.M. Sampath, Adv.
Mr. V. Balaji, Adv.
Mr. P.N. Ramalingam, Adv.

State of Tripura:

Mr. Gopal Singh, Adv.
Mr. Navin Prakash, Adv.

State of U.P.:

Mr. A.S. Pundir, Adv.(NP)

State of Uttaranchal Mr. Jatinder Kumar Bhatia, Adv.

State of W.B.: Mr. T.C. Sharma, Adv.
Ms. Neelam Sharma, Adv.

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:4:

NCT, Delhi, U.T. of Ms. Sunita Sharma, Adv.
Andaman & Nicobar Mr. D.S. Mehra, Adv.
Island and Dadar,
Nagar Haveli &
Lakshadweep:

State of J & K:
Mr. Anis Suhrawardy, Adv.
Ms. Shamama Anis, Adv.

U.T.of Pondicherry: Mr. V.G. Pragasam, Adv.

State of Chhatisgarh: Mr. Prakash Srivastava, Adv.

State of Jharkhand: Mr. Ashok Mathur, Adv.

For Applicant in
I.A. No. 5 in Mr. Nikhil Nayyar, Adv.
WP(C) 29/03 Mr. Gautam Narayan, Adv.

For AIIMS: Mr. Mukul Gupta, Adv.
Mr. Ankur Jain, Adv.
Mr. T A Khan, Adv.

The Court made the following
O R D E R

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No orders on I.A. No. 2 for impleadment.
I.A. No. 5 for intervention is allowed.

We have perused the result-sheets produced before us by Delhi University. However, unless the proper rankings of students, who have been permitted to appear at the Examination by orders of this Court, are given, it is not possible to ascertain as to how many of them have qualified for securing admission in different disciplines of the Post Graduate Courses run by the respondent-University.

Keeping in view the fact that the process of admission is complete and successful students are to join their respective courses of studies on and from 2nd May, 2003, interest of justice will be subserved if the

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admission of petitioners may be subject to the decision of these petitions.

In that view of the matter, we are not inclined to pass any further interim orders. However, the admission of petitioners in Post Graduate Courses shall be subject to the decision in these petitions.

In view of the above order, I.A. No. 4 stands disposed of.

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(D.P. Walia)
Court Master

(S. Krishnan)
Court Master