

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

RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 138 OF 2006 (FOR PREL.HEARING)

ABHAY NATH & ORS.

Petitioner(s)

VERSUS

UNIVERSITY OF DELHI & ORS.

Respondent(s)

(With appln(s) for directions and office report)

Date: 10/04/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s)

Mr. K.K. Venugopal, Sr. Adv.

Mrs. Haripriya Padmanabhan, Adv.

Ms. V. Mohana, Adv.

For Respondent(s) Mr. Gopal Subramaniam, ASG

Mr. T.S. Murthy, Adv.

For Mrs. Sushma Suri, Adv.

Mr. Mariarputham, Adv.

UPON hearing counsel the Court made the following

O R D E R

We have heard learned counsel for the petitioner, learned

Additional Solicitor General for the Union of India and also counsel for the
Medical Council of India.

Petitioners are seeking 22.5% reservation in the admissions to
Post Graduate Medical Courses of the University of Delhi for SC/ST for the
50% seats to be filled by the State. 50% of the rest of the seats are to be
filled up by the All India

..2/-

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Entrance Examination. It is submitted by learned Additional Solicitor
General that so far no reservation is provided for SC/ST for the seats being
filled up by the Union of India and steps are being taken to
consider the
question and decision would be taken within a short time.

In the aforesaid circumstances, the State university may go
on

with first counselling and adjustment of seats are to be made as
soon as

reservation question in All India quota is decided. Learned Addition
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Solicitor General also submits that in view of the decisions in Sau
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Chaudri and others v. Union of India and others, 2003(11) SCC 146,
Dr.

Dinesh Kumar and others v. Motilal Nehru Merial College, Allahabad and
others, 1985(3) SCC 22 and Dr. Dinesh Kumar and others v. Motilal Nehru

Merial College, Allahabad and others, 1986(3) SCC 727, certain

clarifications are required contrary to the injunction as passed by this Court.

These views have to be finally settled and the Union of India wo
uld seek

necessary clarifications.

The matters may be posted before a three-Judge Bench on 28-4-

2006.

(R.K. Dhawan)
Court Master

(Veera Verma)
Court Master