

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

RECORD OF PROCEEDINGS

I.A. NOS.90 and 96 IN WRIT PETITION (CIVIL) NO.350 OF 1993

ISLAMIC ACADEMY OF EDUCATION & ANR.

Petitioner(s)

VERSUS

STATE OF KARNATAKA & ORS.

Respondent(s)

(For directions and office report)

Date: 23/09/2005 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE C.K. THAKKER

For Petitioner(s)/

Ms. Hetu Arora,Adv.

Applicant(s)

Ms. V. Mohana,Adv.

Mr. G.L. Sanghi,Sr.Adv.

Mr. Harish N. Salve,Sr.Adv.

Mr. B.E. Avhad,Adv.

Mr. S.U.K. Sagar,Adv.

Ms. Bina Madhavan,Adv.

Mr. Avinash B. Avhad,Adv.

Ms. Pooja Nanekar Gupta,Adv.

Ms. Susan Zachariah,Adv.

Mr. A. Venayagam,Adv.

Mr. Hemal K. Sheth,Adv.

Mr. Mukul Rohtagi, Sr. Adv.

Mr. K.K. Mani, Adv.

Mr. K.B. Sandeep, Adv.

For Respondent(s)

Mr. Sanjay R. Hegde, Adv.

Mr. A. Mariarputham, Adv.

Ms. Aruna Mathur, Adv.

for M/s. Arputham, Aruna & Co., Adv.

Mr. Maninder Singh, Adv.

Ms. Pratibha M. Singh, Adv.

Mr. Sunil Fernandes, Adv.

Mr. Saurabh Mishra, Adv.

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Mr. Bharat Sangal, Adv.

Mr. Ejaz Maqbool, Adv.

Mr. Mukesh K. Giri, Adv.

Ms. A. Subhashini, Adv.

Mr. D. Mahesh Babu, Adv.

Mr. Anil Kumar Tandale, Adv.

Mr. U.U. Lalit, Sr. Adv.

Mr. Ravindra K. Adsure, Adv.

Mr. S.S. Shinde, Adv.

Mr. G. Ramakrishna Prasad, Adv.

Mr. Mohd. Wasay Khan, Adv.

Dr. K.P. Kailashnatha, Adv.

Ms. M. Qamaruddin, Adv.

Mr. T.V. Ratnam, Adv.

Mr. S.N. Bhat, Adv.

Mr. Naresh Kumar, Adv.

Mr. Rajesh Aggarwal, Adv.

Mr. Ashok Mathur, Adv.

Mr. P.P. Singh, Adv.

Mr. L.K. Pandey, Adv.

Mr. P.V. Yogeswaran, Adv.

M/s. P.H. Parekh & Co., Adv. (N/P)

Ms. D. Bharathi Reddy, Adv.

Mr. S.W.A. Qadri, Adv.

Ms. Sushma Suri, Adv.

Mr. Bhavanishankar V. Gadnis, Adv.

Mr. Shiv Kumar Suri, Adv.

Mr. Atishi Dipankar, Adv.

Mr. Bipin Kumar Jha, Adv.

...3/-

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Mr. Ajay Siwach, Adv.

Mr. Pardeep Dahiya, Adv.

Mr. Sanjeev Sharma, Adv.

Mr. T.V. George, Adv.

Mr. K. Ramamoorthy, Sr. Adv.

Mr. R. Ayyam Perumal, Adv.

Mr. S. Vallinayagam, Adv.

Mr. Sewa Ram, adv.

UPON hearing counsel the Court made the following

O R D E R

I.A. No.90:

The interlocutory application is dismissed.

I.A. No.96:

This application has been filed by the All India Medical and Engineering Colleges Association but is restricted to admission to engineering colleges. According to the applicant, as of today, no student, who had taken Common Entrance Test [C.E.T.] conducted by the respective State Governments, is available for admission in the engineering colleges, which are members of the applicant's association, and number of seats are still lying vacant. The contention is that if these vacant seats are not permitted to be filled up by admitting students on the basis of merit marks obtained on the basis of 10+2 examination conducted by the Central Board of Secondary Education [C.B.S.E.] or other equivalent examination conducted by the State Government and who are otherwise eligible and qualified, except that they have not taken C.E.T. conducted by the respective State Governments, all these seats would go waste. Under these circumstances, we dispose of the application by issuing the following directions:

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1) It would be open to the State Governments to send the list of candidates seeking admission in engineering courses, who may have taken C.E.T. conducted by the State Governments/entrance test conducted by consortium colleges and have not got admission. The said list shall be sent

to the engineering colleges within one week from the State Governments being notified about the orders passed by this Court. This order shall be notified by the applicant to the State Governments forthwith but, in any case, not later than seventy two hours. If any State Government has fixed higher standards, the same shall have to be complied with before granting admission.

2) In case the names, as mentioned in clause (1), are received, the colleges would give admission to those students in the first instance.

3) All remaining vacant seats are permitted to be filled up on the basis of merit marks obtained in 10+2 examination conducted by the C.B.S.E. or other Boards.

The aforesaid directions are for the present academic year, i.e., 2005-2006.

[T.I. Rajput]

Court Master

[V.P. Tyagi]

Court Master