

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.As.No.11-13 IN CIVIL APPEAL NO. 2846 OF 2007

STATE OF KERALA & ORS.

Appellant (s)

VERSUS

MANAGER MALANKARA O.S.C.MEDICAL COLLEGE
(Applications for Impleadment/directions)

Respondent(s)

WITH I.As.Nos.3-4 In Civil Appeal NO. 2850 of 2007
(Applns. for impleadment and directions)

Date: 26/08/2008 These matters were mentioned today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE D.K. JAIN

For Appellant(s) Mr. P.V. Dinesh,Adv.

For Applicants/ Mr. Arun Jaitley, Sr.Adv.

Respondent(s) Mr. S. Udaya Kumar Sagar, Adv.
Ms. Bina Madhavan, Adv.
Mr. Hemal K. Sheth, Adv.
Mr. Manish Kumar, Adv.
for M/S. Lawyer'S Knit & Co,Adv.

For MCI Mrs.Pratibha M. Singh, Adv.
Ms.Surbhi Mehta, Adv.
Mr. Romy Chacko,Adv.

Mr. Ranjith K.C.,Adv.

Mr. E.M.S. Anam, Adv.

UPON hearing counsel the Court made the following
ORDER

I.A.Nos.11-13:

We have heard learned counsel for the applicants as well
as for the Medical Council of India.
Issue notice returnable within four weeks.

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It was stated by learned counsel appearing on behalf of the
applicants that the examinations are scheduled to be held from
August 28, 2008 i.e. day after tomorrow. On the facts and in the
circumstances, in our opinion, ends of justice would be met, if, as
an interim measure, the 18 students whose names have been
mentioned in the letter of Medical Council of India dated July 03,

2008 (Annexure-H), be allowed to appear in the examination scheduled to be held on August 28, 2008 subject to final outcome as well as further orders of this Court. It is also clarified that allowing to appear at the examination will not create any equity in favour of those students and they will not claim any benefit on such basis.

I.A.No.3 (Application for impleadment):

The application is allowed.

I.A.No.4:

Issue notice returnable within four weeks.

It is agreed between the parties that since a large number of seats are still available in the applicant Institute, the applicant will make a formal request to the State Government to furnish the names of the candidates who are willing to join the applicant institution on their filing an undertaking that they

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will pay their fees as fixed by the Fee Regulatory Committee for the BDS course. The names of such students shall be put up on the website by the State as well as the applicant Institute.

[Usha Bhardwaj]
Court Master

[Vinod Kulvi]
Court Master