

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

I.A.NOS.11 & 12 IN WRIT PETITION (CIVIL) NO(s). 157 OF 2005

AMIT GUPTA & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ANRS.

Respondent(s)

(For extension of time and office report)

WITH

W.P.(C)NO.441 of 2007 - With appln. for directions and Office Report

W.P.(C)NO.506 of 2007 - With appln. for directions and Office Report

Date: 07/09/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s) Mr. Vikas Mehta, Adv.

Mr. Chander Shekhar Ashri, Adv.

Mr. Pradyot Kumar Chakravarty, Adv.

For Respondent(s) Mr. Harish N. Salve, Sr. Adv.

Mr. Maninder Singh, Adv.

Ms. Prathibha M. Singh, Adv.

Mr. Gaurav Sharma, Adv.

Mr. Sumeet Bhatia, Adv.

Ms. Surbhi Mehta, Adv.

Mr. Gopal Subramaniam, ASG.

Mr. T. Srinivasa Murthy, Adv.

Ms. Sushma Suri, Adv.

UPON hearing counsel the Court made the following  
ORDER

I.A. will stand over by four weeks.

W.P.(C)Nos. 441 and 506 of 2007 are disposed of.

(Veera Verma)

Court Master

(S. Thapar)

P.S. to Registrar

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. NOS. 11 & 12

IN

WRIT PETITION © NO. 157 OF 2005

WITH

Amita Gupta & Ors.etc.

Petitioner (s)

Versus

Union of India & Ors. etc.

Respondent (s)

ORDER

I.A.No. 11 of 2007

Heard learned counsel for the parties.

The interim application has been filed by the State of Kerala which is running 5 Government Medical Colleges in the State. There are about 248 Post Graduation Degree seats and 148 Diploma Seats, out of which 16 seats of Post Graduation Degree and 37 Diploma Seats could not be filled due to non-joining of candidates. The time fixed by this Court for filling the seats for admission to post-graduation courses has expired and the State has come up with this application to extend the time. Various reasons have been given by the State for not filling up of these seats and we are not fully impressed by these reasons. However, we are of the view that the authorities should have taken urgent steps for filling the vacant seats.

Considering the larger interest of the student community, we are constrained to give directions to fill up the seats as early as possible. The Director of the Medical Education and the Commissioner of Entrance Examination will ensure the admission of the eligible candidates by taking immediate steps to call for the candidates and finalise the admission on or before 20th September, 2007, as the classes have already been started. This Order is passed in exceptional circumstances and this should not be treated as a precedent. The Director of Health Services should take timely steps in the next year to see that the admission process is over within the stipulated time. To ensure that, we would like to have an affidavit filed by the Chief Secretary as well as the Director of Health Services explaining as to why this delay occurred and what steps could be taken to avoid such delay in future.

The I.A. will stand over by four weeks.

In view of the Order passed, the Writ Petitions filed by the students are disposed of, (W.P.No.441 and 506 of 2007).

.....CJI  
(K.G. Balakrishnan)

New Delhi,  
September 7, 2007.

.....J  
(R.V. Raveendran)