

LISTED ON 30.1.2017

COURT NO.

ITEM NO.

SEC. IVA

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 195 OF 2016

Medical Council of India

... Appellant

VERSUS

JSS Medical College & Anr.

... Respondents

OFFICE REPORT FOR DIRECTION

The appeal above mentioned was listed before the Hon'ble Court on 12.1.2016 with an office report dated 11.1.2016, when the Court was pleased to pass the following Order :-

"Leave granted.

We have heard learned counsel for the parties as well as learned counsel for the students (interveners).

After hearing all the parties, we are of the opinion that in the interest of the students as well as the Medical Council of India and also to send a message across to the JSS Medical College and other medical colleges, the following directions are passed:

(i) Since the students have completed 4½ years of their MBBS Course and are likely to complete their course some time in June this year, notwithstanding the decision of this Court in Medical Council of India Vs. JSS Medical College and Another [(2012) 5 SCC 628], the students may be allowed to complete their course and obtain a degree in case they successfully complete the course. This order is being passed only on peculiar facts of this case.

(ii) Since the College has also not complied with the orders passed by this Court in the above cited case and has permitted the students to continue their studies, to send a message to the College and other medical colleges, we are of the view that it would be appropriate if the JSS Medical College is directed to deposit an amount of Rs.5,00,00,000/- (Rupees five crores only) in the Registry of this Court within four weeks from today. We order accordingly and observe that the conduct of the JSS Medical College is most unfortunate. The amount of Rs.5,00,00,000/- (Rupees five crores only) so deposited towards costs shall not be recovered in any manner from any student or adjusted against the fees or provision of facilities for students of subsequent batches.

(iii) Again, to send a strong message to the JSS Medical College and other medical colleges, we direct that for the next academic year, i.e., 2016-17, the JSS Medical College shall be permitted to admit only 150 students as against the sanctioned strength of 200.

With the above directions, the appeal stands disposed of.

Pending application, if any, also stands disposed of."

It is submitted that pursuant to aforesaid order, M/s Lawyers Knit & Co., Counsel for Respondent No. 1 viz., JSS Medical College has on 10.2.2016 deposited the amount of Rs. 5,00,00,000/- (Rupees Five Crores only).

Thereafter, the office report for directions dated 12.2.2016 in the appeal above mentioned was listed before the Hon'ble Court on 19.2.2016, when the Court was pleased to pass the following Order :-

"An amount of Rs.5 crores has been deposited in the Registry of this Court. The aforesaid amount be kept in five Fixed Deposit Receipts (FDRs) of Rs.1 crore each. One FDR be kept for one year and the others be kept for three years.
The office report dated 12th February, 2016 is accordingly disposed of."

It is submitted that pursuant to aforesaid Order, one FDR of Rs. 1,00,00,000/- (Rs. One Crore only) was fixed for one year bearing maturity date 24.2.2017 and four FDRs of Rs. 1,00,00,000/- each (Rs. One Crore only) was fixed for three years period bearing maturity date 24.2.2019.

Orders are solicited regarding renewal of FDR of Rs. 1,00,00,000/- (Rs. One Crore only) which is going to mature on 24.2.2017.

It is further submitted that original paper books of the instant appeal is available and placed alongwith this office report.

The office report for direction in the appeal above mentioned is listed before the Hon'ble Court for orders.

Dated this the 27th day of January, 2017.

ASSISTANT REGISTRAR

COPY TO: MR. Gaurav Sharma, Advocate
Supreme Court Bar Association

M/s Lawyers Knit & Co., Advocates
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Dr. Sushil Balwada, Advocate
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ASSISTANT REGISTRAR