

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.195 OF 2016
(Arising out of SLP(C) No.9228 of 2012)

MEDICAL COUNCIL OF INDIA

APPELLANT (s)

VERSUS

JSS MEDICAL COLLEGE & ANR.

RESPONDENT (s)

O R D E R

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.

.....J.
(MADAN B. LOKUR)

.....J.
(R.K. AGRAWAL)

NEW DELHI
JANUARY 12, 2016

ITEM NO.15

COURT NO.8

SECTION IVA

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

Petition(s) for Special Leave to Appeal (C) No(s).9228/2012

(Arising out of impugned final judgment and order dated 10/02/2012 in WP No. 31587/2011 passed by the High Court of Karnataka at Bangalore)

MEDICAL COUNCIL OF INDIA

Petitioner(s)

VERSUS

JSS MEDICAL COLLEGE ANR.

Respondent(s)

(With appln.(s) for impleadment as party respondent and interim relief and office report)

Date : 12/01/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s) Mr. Vikas Singh, Sr. Adv.
Mr. Gaurav Sharma, AOR
Mr. Prateek Bhatia, Adv.
Mr. Dhawal Mohan, Adv.

For Respondent(s) Mr. Shashikiran Shetty, Sr. Adv.
Mr. Sharan Thakur, Adv.
Mr. Vijay Kr. Pardeshi, Adv.
Mr. V. Ramesh, Adv.
Mr. Mahesh Thakur, Adv.
Dr. Sushil Balwada, AOR

Mr. V. N. Raghupathy, AOR

Mr. K.K. Venugopal, Sr. Adv.
Mr. S. Udaya Kumar Sagar, Adv.
Ms. Bina Madhavan, Adv.
Ms. Akanksha Mehra, Adv.
Ms. Shrinjan Khosla, Adv.
Ms. Swati Vellodi, Adv.
Mr. Mrityunjai Singh, Adv.
for M/s. Lawyer S Knit & Co

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal stands disposed of in terms of the signed reportable order.

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.

Pending application, if any, also stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(JASWINDER KAUR)
COURT MASTER

(Signed reportable order is placed on the file)