

ITEM NO.68

SECTION PIL

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

RECORD OF PROCEEDINGS

BEFORE REGISTRAR B. SUDHEENDRA KUMAR

WRIT PETITION (CIVIL) NO(s). 223 OF 2004

RAJ KUMAR GUPTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date: 28/04/2006 This Petition was called on for hearing today.

For Petitioner(s)

Mr. Faisal Raza, Adv.

Ms. Mridula Ray Bharadwaj, Adv.

For Respondent(s)

Mr. Tara Chandra Sharma, Adv.

Ms. Neelam Sharma, Adv.

Mrs. Sunita Sharma, Adv.

Ms. Sushma Suri, Adv.

Mr. P. Parmeswaran, Adv.

Ms. Binu Tamta, Adv.

Mr. Lakshmi Raman Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

It appears from the Office Report that the Union of India has not filed the affidavit so far.

The learned counsel for the Union of India has submitted that Ministry of Health & Family Welfare is the authority to file counter affidavit with regard to the matter covered in this

case. However, since the Ministry of Health & Family Welfare is not a party in the Special Leave

Petition, they are not in a position to file the counter affidavit. The Under Secretary of the

Ministry of Human Resource Development is stated to have addressed a letter to the Secretary,

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C.B.S.E. stating therein that the Ministry of Health and Family Welfare is the nodal authority in

the case of Medical/Dental Education and that the C.B.S.E. is to defend the case in consultation

with the said Ministry. It is further stated in the said letter that the Ministry of Human Resource

Development is not to file reply in this case. The learned counsel for the Union of India has

pleaded that the matter may be placed before the Hon'ble Court. In view of the submissions of

the learned counsel for the Union of India, I am inclined to place the matter before the Hon'ble

Court.

Therefore, list the matter before the Hon'ble Court.

MAR)

(B. SUDHEENDRA KU

ISTRAR

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