

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

Petition(s) for Special Leave to Appeal (Civil) No(s).14455/2013

(From the judgment and order dated 19/12/2012 in WP No.3982/2011 of The HIGH COURT OF JUDICATURE AT BOMBAY BENCH AT NAGPUR)

VIDARBHA MEDICAL EDUCATION & R.F.,A.&ANR

Petitioner(s)

VERSUS

THE UNION OF INDIA & ORS.

Respondent(s)

(With application for exemption from filing Official Translation and prayer for interim relief)

WITH SLP(C) NO. 15968 of 2013

[MAHARASHTRA UNIVERSITY OF HEALTH SCIENCES & ORS. V. AKASH & ORS.]

(With prayer for interim relief and office report)

Date: 26/04/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK

HON'BLE MR. JUSTICE A.K SIKRI

For Petitioner(s) Mr. Ranjit Kumar, Sr. Adv.
In SLP 15968 Mr. Gaurav Agrawal, Adv.
Mr. Shankar Narayanan, Adv.In SLP 14455 Mr. Manish Pitale, Adv.
Mr. Sunil Kumar, Adv.
Mr. Chander Shekhar Ashri, Adv.For Respondent(s)
Mr. P. Narasimhan, Adv.(NP)UPON hearing counsel the Court made the following
O R D E R

SLP(C) No. 14455

We are not inclined to entertain this Special

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Leave Petition and we, accordingly, dismiss the same. It will be, however, open for the petitioners to remove the deficiencies and apply afresh for recognition as well as affiliation.

SLP(C) No. 15968

We have heard learned counsel for the petitioners who has submitted that by the impugned order, the High Court has directed the State Government to transfer 40 students already admitted in the First Year BDS Course in Jammalal Goenka Dental College and Hospital Akola run by the Vidarbha Medication Education and Research Foundation to other colleges in the State of Maharashtra. He submitted that unless the Dental Council of India increased the intake capacity of the transferee colleges, the transfer of the 40 students to the transferee colleges will not be legally possible and it will be difficult for the University to treat the transferee students as students of the transferee college.

Considering the peculiar facts and circumstances of the

case in which the High Court has issued the aforesaid direction for transfer of the forty students, we are not inclined to interfere with the aforesaid impugned direction of the High Court. We, however, direct that the Dental Council of India, respondent No. 45 herein, will take steps for increasing the intake capacity of the transferee colleges so that the transfers are regularised and the University is able to treat them as students of the transferee colleges.

We make it clear that this direction will not be treated as a precedent for other cases.

With the aforesaid observations, the Special Leave Petition stands disposed of.

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| [KALYANI GUPTA]
| COURT MASTER

| | [SHARDA KAPOOR]
| | COURT MASTER

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