

LISTING ON 03.03.2017

COURT NO. 9

ITEM NO. 32

SEC-IVA

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 19031-48, 3556, 3598, 24093-24100, 24101-114, 24115-123, 24124-130, 3041-3048 & 24131-137 OF 2010, 4808-4939 & 7715-7732 OF 2011 & 35023 & 35156-157 of 2010 WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO. 399

(Application for directions in SLP(C) No. 4936/2011)

AND

INTERLOCUTORY APPLICATION NO. 2/2011

(Application for modification of order dated 16.08.2010 in SLP(C) No. 3556/2010

AND

INTERLOCUTORY APPLICATION NO. 400

(Application for directions in SLP(C) No. 4808-4939/2011)

AND

INTERLOCUTORY APPLICATION NO. 401

(Application for permission to file additional documents in SLP(C) No. 4808-4939/2011)

AND

INTERLOCUTORY APPLICATION NO. 73-90 in SLP © No. 19031/10

(Application for directions)

AND

INTERLOCUTORY APPLICATION NO.

(Application for directions in SLP (C) Nos. 19031,19041 and 19042/2010)

AND

INTERLOCUTORY APPLICATION NOS. 17-24

(Application for direction/modification filed by Mr. Rakesh Kr. Sharma, Advocate in SLP (C) No. 24093-100/2010)

AND

INTERLOCUTORY APPLICATION NO. 2

(Application for modification filed by Mr. Ejaj Maqbool, Advocate in SLP (C) No. 3556/2010)

Rashtreeya Sikshana Samithi Trust RV Den Etc. Etc.

.. Petitioner(s)

-Versus-

Committee for Fixn. Of Fee of P.P. Col. & Ors, Etc. Etc.

.. Respondent(s)

COMMON OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 16.02.2016 with an Office Report dated 01.02.2016, when the Court was pleased to pass the following Order:

"Subsequent to our order dated 6.8.2014, Mr. Salman Khurshid, learned senior counsel, appointed as Amicus Curiae in these matters has filed an Interim Status Report giving whatever information he could gather from some of the States, in particular, the State of Karnataka. The Amicus Curiae wants to gather further details from all the State Governments/Union Territories of India. In the Interim Status Report he has listed out as many as 20 queries in order to ascertain and suggest as to how the problem of collection of capitation fee can be eliminated.

Having gone through the Interim Status Report and also the queries for which the learned Amicus Curiae wants response from all the State Governments/Union Territories, we are also convinced that in our endeavour to achieve the objective highlighted in our order dated 6.8.2014, the State Governments/Union Territories can be directed to respond to the queries raised by the learned Amicus Curiae, who is the officer of the Court.

With that view, we direct the Registry of this Court to forward a copy of this Interim Status Report to all the States/Union Territories within one week. Such copies shall be forwarded to the Chief Secretaries/Administrator for the respective States/Union Territories, as the case may be. On receipt of this Interim Status Report, the respective Chief Secretaries/Administrator are directed to forward their response to the queries raised by the learned Amicus Curiae directly to him and also submit a copy of their response with the Registry of this Court along with the supporting affidavit. We also direct the Registry of this Court to furnish a copy of the said Interim Status Report to the learned counsel for the petitioners. For that purpose, we also implead Consortium of Medical Engineering & Dental Colleges of Karnataka as party respondent in all these special leave petitions, except in Special Leave Petitions arising out of W.P. No.2801/2006, W.P. No.5049/2006, W.P. No.6124/2007, W.P. No.36556/2004 & W.P. No. 517/2006, as the Consortium is already a party in these special leave petitions. Issue notice to newly added respondent.

Ms. Bina Madhavan, learned counsel, undertakes to appear for Consortium of Medical Engineering & Dental Colleges of Karnataka and accepts notice.

The copy of the Interim Status Report shall also be served to one of the students representative. They are at liberty to come forward with their response to the Interim Status Report submitted by the learned Amicus Curiae. The response shall be filed by all the State Governments/Union Territories as well as the petitioners and the representative of the Students within six weeks from the date of receipt of a copy of the Report.

List these matters after seven weeks for further directions with regard to Interim Status Report.

I.A. No....(Appln. For Directions/Modification) in SLP © Nos. 24093-24100/2010 & I.A. NO.2 in SLP (C) Nos.3556/2010

Issue notice to the non-applicants.

Dasti service, in addition, is permitted.

Reply, if any, be filed within four weeks.

In the meantime, defects, as pointed out by the Registry in I.A. No.....(Application for Directions/Modification) in SLP © Nos.24093-24100/2010, be cured by the applicants.

List these I.As along with Special Leave Petitions after four weeks."

It is submitted that in view of the above order, copy of interim status report alongwith certified copy of Record of Proceedings was issued on 19.02.2016 to all the Chief Secretaries/Administrator for the respective States /Union Territories and also to one of the students representative.

It is submitted that Consortium of Medical Engineering & Dental College of Karnataka has been impleaded as party respondent in all the matters and cause tittle has been amended accordingly but Ms. Bina Madhavan, Advocate has not filed vakalatnama/memo of appearance on behalf of the impleaded party, so far.

It is submitted that as the counsel has cured the defects, notice on the application for direction/modification in SLP(C) Nos. 24093-100/2010 and 3556/2010 was issued on 21.02.2016 through advocate for the petitioners as well as dasti service was issued to counsel for respondents filed the application for directions/modifications. M/s. Ejaz Maqbool and Rakesh Kr. Sharma, Advocates have filed affidavit of dasti service notice in respect of above said applications, but no reply has been filed , so far.

It is also submitted that Mr. Rohit K. Singh, Advocate has filed vakalatnama/memo of appearance on behalf of State of Rajasthan, Mr. Ranjan Mukherjee, Advocate has filed vakalatnama/memo of appearance on behalf of State of Meghalaya, Mr. Arputham Aruna & Co., Advocates have filed vakalatnama on behalf of State of Sikkim, Mr. G. Indira, Advocate has filed vakalatnama/memo of appearance on behalf of Andaman & Nicobar.

It is submitted that Mr. V.G. Pragasam, Advocate has filed vakalatnama/memo of appearance alongwith affidavit on behalf of Union of Territory of Pondicherry, Ms. K. Enatoli Sema, Advocate has filed vakalatnama alongwith affidavit on behalf of State of Nagaland, Mr. Ashok Kumar Singh, Advocate has filed vakalatnama/memo of appearance alongwith affidavit on behalf of State of Manipur.

It is submitted that Mr. D.S. Mehra, Advocate has filed response on behalf of Union of Territory of Daman & Diu, but has not filed vakalatnama/appearance, so far.

It is submitted that a letter dated 23.06.2016 in Hindi Language has been received from The Under Secretary alongwith point nos. 1 to 20 and resolution dated 11.05.2016 and the same is being circulated herewith this office report.

It is lastly submitted that a letter has been received from Government Medical College and Hospital, Chandigarh in response to letter dated 19.02.2016 and Ms. G. Indira, Advocate has filed affidavit alongwith Annexure R-1 and copies of the same have already been included in the paperbooks.

The matters above mentioned are listed before the Hon'ble Court with this Office Report.

Dated this the 28th day of February, 2017.

ASSISTANT REGISTRAR

Copy to: M/s Lawyers' Knit & Co., Advocates
Mr. Senthil Jagadeesan, Advocate
Mr. V.N.Raghupathy, Advocate
Mr. Raghvendra S. Srivatsa, Advocate
Mr. Rakesh Sharma, Advocate
Mr. A.S.Bhasme, Advocate
M/s Mahalakshmi Balaji & Co., Advocates
Mr. Rajesh Kumar, Advocate
Mr. Vipin Kumar Jain, Advocate
Mr. R.P. Goyal, Advocate
Mr. Rohit K. Singh, Advocate
Mr. Ashok Kumar Singh, Advocate
Mr. D.S. Mehra, Advocate
Mr. P.N.Puri, Advocate
Dr. Mrs Vipin Gupta, Advocate
Ms. K. Enatoli Sema, Advocate
Mr. Arputham Aruna & Co., Advocates

ASSISTANT REGISTRAR