

ITEM NO.19

COURT NO.6

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).19031-19048/2010

(Arising out of impugned final judgment and order dated 09/11/2009 in WP No. 5062/2006 09/11/2009 in WP No. 5733/2006 09/11/2009 in WP No. 6968/2006 09/11/2009 in WP No. 5318/2006 09/11/2009 in WP No. 18884/2006 09/11/2009 in WP No. 18885/2006 09/11/2009 in WP No. 17681/2007 09/11/2009 in WP No. 5985/2007 09/11/2009 in WP No. 1337/2006 09/11/2009 in WP No. 7388/2006 09/11/2009 in WP No. 6988/2006 09/11/2009 in WP No. 13435/2006 09/11/2009 in WP No. 15750/2006 09/11/2009 in WP No. 17122/2006 09/11/2009 in WP No. 1126/2006 09/11/2009 in WP No. 16283/2007 09/11/2009 in WP No. 7438/2006 09/11/2009 in WP No. 5072/2006 09/11/2009 in WP No. 5062/2006 09/11/2009 in WP No. 5733/2006 09/11/2009 in WP No. 6968/2006 09/11/2009 in WP No. 5318/2006 09/11/2009 in WP No. 18884/2006 09/11/2009 in WP No. 18885/2006 09/11/2009 in WP No. 17681/2007 09/11/2009 in WP No. 5985/2007 09/11/2009 in WP No. 1337/2006 09/11/2009 in WP No. 7388/2006 09/11/2009 in WP No. 6988/2006 09/11/2009 in WP No. 13435/2006 09/11/2009 in WP No. 15750/2006 09/11/2009 in WP No. 17122/2006 09/11/2009 in WP No. 1126/2006 09/11/2009 in WP No. 16283/2007 09/11/2009 in WP No. 7438/2006 09/11/2009 in WP No. 5072/2006 passed by the High Court Of Karnataka At Bangalore)

RASHTREEYA SIKSHANA SAMITHI TRUST RV DEN

Petitioner(s)

VERSUS

COMMITTEE FOR FIXN.OF FEE OF P.P.COL&amp;ORS

Respondent(s)

(With appln(s) for directions and office report)  
(FOR FINAL DISPOSAL)

WITH

SLP(C) No. 3041-3048/2010

(With Interim Relief and Office Report)

SLP(C) No. 3556/2010

(With appln.(s) for modification of court's order and appln.(s) for permission to file additional documents and Interim Relief and Office Report)

SLP(C) No. 3598/2010

(With Interim Relief and Office Report)

SLP(C) No. 24093-24100/2010

(With Office Report)

SLP(C) No. 24101-24114/2010  
(With Office Report)

SLP(C) No. 24115-24123/2010  
(With Office Report)

SLP(C) No. 24124-24130/2010  
(With Office Report)

SLP(C) No. 24131-24137/2010  
(With Office Report)

SLP(C) No. 35023/2010

SLP(C) No. 35156-35157/2010

SLP(C) No. 4808-4939/2011  
(With appln.(s) for permission to file additional documents and  
directions and Office Report)

SLP(C) No. 7715-7732/2011  
(With Office Report)

Date : 16/02/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA  
HON'BLE MR. JUSTICE C. NAGAPPAN

For Petitioner(s)

Mr. Salman Khurdhid, Sr. Adv. (A.C.)  
Mr. Mohit Kumar Shah, Adv.  
Mr. Imtiaz Ahmed, Adv.  
Mr. Rituraj Choudhary, Adv.

Mr. Mohit Kumar Shah, AOR  
Mr. Mayur Chaturvedi, Adv.  
Mr. Rituraj Choudhary, Adv.

M/s. Lawyer S Knit & Co, AOR

Mr. Gautam Narayan, AOR  
Mr. Tishampati Sen, Adv.

Mr. Sharangauda Patil, Adv.  
Mr. S. Patil, Adv.  
Mr. Ashok Kumar Gupta II, AOR

Mr. Basavaprabhu S. Patil, Sr. Adv.  
 Mr. V. N. Raghupathy, AOR  
 Mr. Parikshit P. Angadi, Adv.

For Respondent(s)

Mr. Krishnan Venugopal, Sr. Adv.  
 Mr. S. Udaya Kumar Sagar, Adv.  
 Ms. Bina Madhavan, Adv.  
 Ms. Shrinjan Khosla, Adv.  
 For M/s. Lawyer S Knit & Co

Ms. Kiran Suri, Sr. Adv.  
 Mr. S.J. Amith, Adv.  
 Dr. (Mrs.) Vipin Gupta, AOR  
 Mr. Gautam Kumar, Adv.

Mr. Mohit Kumar Shah, AOR

Mr. P. N. Puri, AOR

Mr. Ragvesh Singh, Adv.  
 Mr. P. S. Sudheer, AOR  
 Mr. Rishi Maheshwari, Adv.  
 Ms. Anne Mathew, Adv.  
 Ms. Shruti Jose, Adv.  
 Mr. Rajkumar Kaushik, Adv.

Mr. Rajesh Kumar, AOR

Mr. H.K. Naik, Adv.  
 Mr. Rameshwar Prasad Goyal, AOR  
 Mr. Pramod Kumar Kharwar, Adv.  
 Mr. Sanjeev Kumar, Adv.  
 Mr. Sudhanshu Palo, Adv.

Mr. Vipin Kumar Jai, AOR  
 Mr. Vipul Jai, Adv.  
 Ms. Shally Dinker, Adv.

Mr. V.N. Raghupathy, AOR

Mr. Raghavendra S. Srivatsa, AOR

Ms. Akriti Chaubey, Adv.  
 Mr. Ejaz Maqbool, AOR  
 Mr. Faraz Maqbool, Adv.

Mr. G. Umapathy, Adv.  
 Mr. Rakesh K. Sharma, AOR  
 Ms. R. Mekhala, Adv.

Ms. Prerna Singh, Adv.  
Mr. Guntur Pramod Kumar, Adv.  
Mr. Guntur Prabhakar, AOR

Ms. N. Annapoorani, AOR

Mr. A. S. Bhasme, AOR

Mr. Senthil Jagdeesan, AOR

M/s. Mahalaxmi Balaji & Co., AOR

Mr. Goodwill Indeever, AOR

Mr. S.N. Bhat, AOR

Mr. Shekhar Kumar, AOR

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

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 (C) 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 (C) Nos.24093-24100/2010, be cured by the applicants.

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

(NARENDRA PRASAD)  
COURT MASTER

(SHARDA KAPOOR)  
COURT MASTER