

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).11367/2005

(From the judgement and order dated 05/05/2005 in WPL No. 1044/2005 of the HIGH COURT OF BOMBAY)

ASSCN.OF MGMT.OF UNAIDED P.MED.& D.COLL.

Petitioner(s)

VERSUS

PRAVESH NIYANTRAN SAMITI AND ORS.

Respondent(s)

(With appln(s) for modification of Court's Order dated 13.5.2005 and with prayer for interim relief and

office report )

WITH S.L.P.(C) NO. 11845 of 2005

(With appln(s) for modification of Court's Order and with prayer for interim relief and office report)

Date: 27/07/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE ARUN KUMAR

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner(s) Mr. Mukul Rohtagi, Sr.Adv.

Mr. Shivaji M. Jadhav,Adv.

For Respondent(s) Mr. Uday U. Lalit, Sr.Adv.

Mr. Gaurav Agrawal, Adv.

Mr. R.K. Adsure, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A.No.2:

On a writ petition filed by the Parents' Association of Medical Students,

Maharashtra, in terms of the impugned judgment, the High Court issued directions for the

State Government to make centralized admissions in respect of management quota seats in the

medical/dental colleges. The said direction in regard to centralized admissions by the state

Government has been stayed in terms of the orders dated 13th May, 2005 on the Association

of Management of Unaided Private Medical and Dental Colleges challenging the impugned

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judgment of the High Court. Further, it has been directed that the admission in the current

year would be on the same basis as was conducted in the Academic Year 2004-2005.

This application has been filed by the Parents' Association of Medical Students for

modification of the order dated 13th May, 2005 and for direction to the Association of the

Management to conduct a centralized admission process for the present Academic Year 2005

2006.

We have heard learned counsel. There can be no doubt that whatever procedure is

followed, the admissions must be only on the criteria of merit and merit alone. Without

further going into the details of submissions and accusations made, one way or the other , for

the present Academic Year 2005-2006, we modify the order dated 13th May, 2005 and direct

that the centralized admissions in respect of management quota seats shall be conducted

though not by the State Government but by the Association of Management of Unaided

Private Medical and Dental Colleges on the basis of same selection process which is given in

para 10 of the brochure issued by the Government of Maharashtra for MHT-CET 2005 for admission into government seats for the year 2005-2006.

Further, we direct that, in order to ensure that no seat goes waste, any seat

remaining unfilled out of the management quota till 27th September, 2005 due to non-

reporting of the students can be filled up by the management though again on the basis of

merit. This aspect will be given due publicity so that students are made aware of the

availability of seats. The order would be applicable in regard to the filling up of management

seats other than NRI quota seats.

The Association of Management should ensure that there is no clash of dates of

counselling with the dates fixed by the State Government.

The I.A. is disposed of accordingly.

S.L.P.(C) Nos.11367 & 11845/2005:

Since the special leave petitions are directed against the interim directions of the

High Court, the said petitions stand disposed of in terms of the aforesaid order in I.A.

No.2.

(N. Annapurna)

Court Master

(V.P. Tyagi)

Court Master

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