

\226%

W.P(C)No. 604 OF 2002

ITEM No. 102 Court No. 3

SECTION X

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

WRIT PETITION (C) NO. 604 OF 2002

SANJEEV GUPTA & ORS.PETITIONER (S)

VERSUS

UNION OF INDIA & ANR. RESPONDENT (S)

(With appln. for intervention, exemption from filing vakalatnama , ex parte directions and of
office report)

WITH

WP(C) NO. 616/2002 - (With appln. for intervention and Ias 6 & 7 for impleadment and with office
report)

WP(C) NO. 634/2002 - (With appln. for stay)

WP(C) NO. 22/2003 - (With appln. for stay and with office report)

WP(C) NO. 11/2003

WP(C) NO. 14/2003 - (With appln. for ex parte stay and directions)

WP(C) NO. 16/2003

WP(C) NO. 26/2003

WP(C) NO. 25/2003

WP(C) NO. 27/2003 - (With appln. for ex parte stay)

WP(C) NO. 33/2003 - (With appln. for ex parte stay)

WP(C) NO. 34/2003

CA NO. 2030/2003

WP(C) NO. 391/2003 - (With office report)

WP(C) NO. 404/2003 - (With appln. for stay)

WP (C) NO. 488/2003 - (With appln. for stay)

Date : 20/04/2004 This/These Petition(s) was/were listed for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI

HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)

in WP 604/02Mr. Manoj Goel, Adv.

Mr. Shuvodeep Roy, Adv.

Mr. Wajih Shafiq, Adv.

Mr. Brij Bhushan, Adv.

IN WP 616/02Mr. Manoj Goel, Adv.

Mr. Shuvodeep Roy, Adv.

Mr. Wajih Shafiq, Adv.

Mr. Brij Bhushan, Adv.

IN WP 634/02Mr. Dushyant A. Dave, Sr. Adv.

Ms. Lansinglu Rongmei, Adv.

Ms. Malini Poduval, Adv.

IN WP 22/03Mr. V. Ramasubramaniam, Adv.

IN WP 11/03Mr. Naresh Kumar, Adv.

IN WP 14/03Mr. Dhruv Agarwal, Adv.
Mr. Praveen Kumar, Adv.

IN WP 16/03Mr. Dushyant A. Dave, Sr. Adv.
Ms. Lansinglu Rongmei, Adv.
Ms. Malini Poduval, Adv.

IN WP 25/03Mr. Manoj Goel, Adv.
Mr. Shuvodeep Roy, Adv.
Mr. Wajih Shafiq, Adv.
Mr. Brij Bhushan, Adv.

IN WP 26/03Ms. B. Sunita Rao, Adv.

IN WP 27/03Mr. Manoj Goel, Adv.
Mr. Shuvodeep Roy, Adv.
Mr. Wajih Shafiq, Adv.
Mr. Brij Bhushan, Adv.

IN WP 33/03Mr. Manoj Goel, Adv.
Mr. Shuvodeep Roy, Adv.
Mr. Wajih Shafiq, Adv.
Mr. Brij Bhushan, Adv.

IN WP 34/03Mr. B.V. Deepak, Adv.

IN WP 391/03Mr. G. Sivabala Murugan, Adv.
Mr. V.N. Raghupathy, Adv.
Mr. Y. Arunagiri, Adv.

IN WP 404/03Ms. Shobha, Adv.
Mr. Gouttam Das, Adv.

IN WP 488/03Ms. Gauri Gupta, Adv.
Mr. Vishwa Pal Singh, Adv.

For Appellant (s)Mr. P.P. Rao, Sr. Adv.
IN CA 2030/03 Mr. Maninder Singh, Adv.
Ms. Pratibha M. Singh, Adv.
Mr. Kritiman Singh, Adv.
Mr. Angad Mirdha, Adv.
Mr. Ankur Talwar, Adv.
Ms. Mahalakshmi Pavani, Adv.
Mr. A. Sumanth, Adv.

For Intervenor (s)Mr. S.C. Paul, Adv.
Mr. C.L. Bashal, Adv.
Mr. Manoj Kulshreshtha, Adv.
Mr. Ashok Yadav, Adv.

Mr. K.L. Janjani, Adv.

For Respondent (s)
For Union of IndiaMr. N.N. Goswami, Sr. Adv.
Mr. Hemant Sharma, Adv.
Ms. Sunita Sharma, Adv.
Mr. Kiran Bhardwaj, Adv.
Ms. Varuna Bhandari Gugnani, Adv.
Mr. D.S. Mahra, Adv.

For Medical Council of
IndiaMr. P.P. Rao, Sr. Adv.
Mr. Maninder Singh, Adv.

Ms. Pratibha M. Singh, Adv.
Mr. Kritiman Singh, Adv.
Mr. Angad Mirdha, Adv.
Mr. Ankur Talwar, Adv.
Ms. Mahalakshmi Pavani, Adv.
Mr. A. Sumanth, Adv.

Mr. S.A. Syed, Adv.

Ex parte

UPON hearing counsel, the Court made the following

O R D E R

We had commenced the hearing. However, during the course of hearing a decision by three-Judge Bench of this Court in Medical Council of India Vs. Indian Doctors From Russia Welfare Association &

Ors. [2002] 3 SCC 696 is brought to our notice wherein certain guidelines by the Government of India have been approved and adopted by this Court as guidelines issued in exercise of power under Article 142 of the Constitution of India. Whether these guidelines would apply to the present case or not and whether certain observations made by the Court during the course of the above-said judgment, are per incuriam, as has been contended before us, shall also have to be gone into. We deem it proper that the matter is heard by a three-Judges Bench.

The professional career of more than 1000 students is at stake. Undoubtedly, the matters require an expeditious hearing. We allow liberty to the parties to make a mention before the Hon'ble Chief Justice of India for constituting a three-Judges Bench and/or assigning the matter to a three-Judges Bench along with a direction for an early listing.

IA Nos. 5, 6 & 7 in WP (C) No. 616/2002 and IA 5 in WP (C) 604/2002 are allowed.

KALYANI

(RADHA R. BHATIA)
COURT MASTER