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C.A.No. 6965 OF 2001
.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp
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ITEM NO.109 COURT NO. 2 SECTION XIIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO.6965 OF 2001@@
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S. Narasimha Reddy & Ors. ... Appellant (s)

Vs.

P. Siddartha & Ors. ... Respondent (s)

(With Office Report)

Date: 10/09/2002 This/These matter(s) was/were called
on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MRS. JUSTICE RUMA PAL

For appellant (s) Mr. Guntur Prabhakar,Adv.

For respondent (s) Mr. D. Bharat Kumar,Adv. for
No.1 Mr. Abhijit Sengupta,Adv.

No.3 Mr. Navin Prakash,Adv.(NP)

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

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Mr. G. Prabhakar, learned counsel appearing for
the appellant, started his arguments at 2.00 p.m. and
concluded at 2.15 p.m. Thereafter Mr. D. Bharat Kumar,
learned counsel appearing for respondent No.1 made his
submissions for five minutes. Hearing concluded.

The appeal is disposed of.

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(Neelam Kawatra) (Suneet Bala Sharma)
Court Master Assistant Registrar

Signed order is placed on the file.

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6965 OF 2001@@
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S. Narasimha Reddy & Ors.

Appellant (s)

versus

P. Siddartha & Ors.

Respondent (s)

O R D E R@@
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This appeal filed by the Registrar of the University is directed against the order of the Division Bench of the Andhra Pradesh High Court in a contempt proceeding directing admission of respondent No.1 to a vacant seat in MBBS course. While granting leave, the direction of the High Court has been stayed. Respondent No.1 had filed application alleging that there has been violation of the direction contained in the judgment of this Court in Ritesh R. Sah vs. Dr. M.L.@@
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Yamul & Ors. reported in (1996) 3 SCC 253. The aforesaid@@
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allegation was based on the assertion that the direction contained therein has to be applied for all and not only to the petitioners therein. The High Court has not examined the merits of the allegations of contempt nor has it come to any conclusion as to the violation of any direction of the Court. On the other hand, the High Court thought that the issue can be defused by directing the admission of respondent No.1 into one of the vacant seats.

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We are of the opinion that it was not appropriate for the High Court to issue the impugned direction in a contempt proceeding. It further transpires that respondent No.1 has already been admitted into one of the paid seats in MBBS course and, therefore, it is not necessary for us to consider whether the respondent could be admitted to a free seat as contended by the learned counsel for the respondent, at this length of time.

In the aforesaid circumstances, there is no question of passing any direction in the appeal in question. The appeal stands disposed of accordingly.

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.....J
(G.B. Pattanaik)

New Delhi,
September 10, 2002.

.....J
(Ruma Pal)