

ITEM NO.6

COURT NO.2

SECTION XV

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).10252/2006

(From the judgement and order dated 07/06/2006 in SBCWP No. 4371/2006 of The HIGH COURT OF RAJASTHAN AT JAIPUR)

FED. OF PVT. MED. & DENTAL COLLEGE & ORS

Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 22/06/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE ALTAMAS KABIR

(VACATION BENCH)

For Petitioner(s)

Mr.Abhishek Manu Singhvi, Sr.Adv.

Mr.S.Udaya Kumar Sagar, Adv.

Ms.Bina Madhavan, Adv.

Mr.Rahul Pratap Singh, Adv.

For M/S. Lawyer'S Knit & Co,Adv.

For Respondent(s)

For RR-4 Mr.Amitesh Kumar, Adv.

For Mr.Gopal Singh, Adv.

For DCI Mr.Maninder Singh, Adv.

Mrs.Prathiba M.Singh, Adv.

Mr.Teej Vir Bhatia, Adv.

Mr.Yoginder Handoo, Adv.

For State of Raj. Mr.Aruneshwar Gupta, AAG

Mr.Naveen Kumar Singh, Adv.

2

UPON hearing counsel the Court made the following

O R D E R

Heard Dr.Abhishek Manu Singhvi, learned Senior counsel appearing on behalf of the

petitioners, Mr.Aruneshwar Gupta, learned counsel for the State of Rajasthan, Mr.Amitesh Kumar,

learned counsel for the University of Rajasthan and Mr.Maninder Singh, learned counsel for the

Dental Council of India.

The only grievance of the petitioners is the direction issued by the learned Single Judge of the

Rajasthan High Court in the last three lines of the order impugned in this Special Leave Petition. The

said direction reads thus :-

"Aforesaid directions shall also uniformly applied to private dental colleges

also."

This direction is quite contrary to the decisions rendered by this Court in T.M.A.Pai

Foundation & Ors. vs. State of Karnataka & Ors., (2002) 8 SCC 481 para 59, P.A.Inamdar and Ors.

vs. State of Maharashtra & Ors., (2005) 6 SCC 537 para 136-138 and Islamic Academy of Education

and Anr. vs. State of Karnataka & Ors., (2003) 6 SCC 697 para 16. Since the direction issued by the

High Court is quite contrary to the above three rulings of this Court, we set aside the said direction in

so far as it relates to the private unaided colleges in Rajasthan are concerned.

The Special Leave Petition stands disposed of in the above terms.

No costs.

(Satish K. Yadav)

Court Master

(Phoolan Wati Arora)

Court Master