

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO.317 OF 2005

ASSO.MGT.U.P.M.C.&DENTAL COLLEGE & ANR.

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent(s)

(With appln(s) for directions, permission to file Volume and office report)

Date: 25/07/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner(s)

Mr. Harish N. Salve, Sr. Adv.

Mr. P.H. Parekh, Adv.

Mr. E.R. Kumar, Adv.

Mr. Sumit Goel, Ad.

for M/s. P.H. Parekh And Co., Adv.

For Respondent(s)

Mr. U.U. Lalit, Sr. Adv.

Mr. Ravindra K. Adsure, Adv.

Mr. Raju Ramachandran, Sr. Adv.

Mr. Gaurav Agrawal, Adv.

UPON hearing counsel the Court made the following

O R D E R

Without prejudice to the contentions of the parties which have been raised in various matters as also before a Seven-Judge Constitution Bench of this Court, the Association of Management of Unaided Private Medical and Dental Colleges, Maharashtra and the Government of Maharashtra have entered into a joint memo in regard to seat sharing and fee to be charged for admission in medical and dental colleges for the Academic Year 2005-2006. At this stage, when the decision of the Seven-Judge Bench in S.L.P. (C) No.9932 of 2004 is pending, it is not possible to examine the objections sought to be raised on behalf

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of the association of parents/students. The judgement rendered would, of course, be binding on all concerned. It is evident that the joint memo is an interim arrangement since the admissions are going to commence shortly. Somewhat similar arrangement was also entered into by the colleges in Karnataka and the Government of Karnataka. Without prejudice to the rights and contentions of all concerned, including the parents and students, we take on record the joint memo and permit the admissions to be made on the terms agreed therein as also to charge fee in the manner indicated therein.

List the petition after the decision in S.L.P. (C) No.9932 of 2004 and connected matters is rendered.

[T.I. Rajput]
Court Master

[V.P. Tyagi]
Court Master