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C.A.No. 599-600 OF 2002

ITEM No.29
XVIA

Court No. 6

SECTION XIV/

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

Civil Appeal Nos. 599-600 of 2002

P.C. KESAVAN KUTTYNAYAR

Appellant (s)

VERSUS

HARISH BHALLA & ORS.

Respondent (s)

(For impleadment, directions and exemption from filing O.T.)

With Civil Appeal Nos.601-602 of 2002

Civil Appeal Nos.603-604 of 2002

(With appln.(s) for directions, impleading party and interim relief)

Civil Appeal Nos.605-606 of 2002

(With appln.(s) for permission to place additional documents on record, exemption from filing c/c of the impugned judgement and intervention)

Transfer Petition (C) No. 469 of 2001

(With appln.(s) for stay and clarification)

Transfer Petition (C) Nos.470-471 of 2001

(with appln.(s) for stay)

S.L.P. (C) No...../2004 (CC 5354-5356/2002)

(With appln.(s) for permission to file SLPs, permission to place annexure(s) P-6 to P-24 and prayer for interim relief)

Date : 30/07/2004 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Appellant (s)Mr. Harish N. Salve,Sr.Adv. (A.C.)

In CA 599-600/02 &

SLP...CC 5354-

56/02:Mr. Annam D.N. Rao,Adv.

In CA 601-602/02:Mr. A. Mariarputham,Adv.

Ms. Aruna Mathur,Adv.

for M/s. Arputham, Aruna & Co.,Adv.

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In CA 603-604/02:Ms. Indu Malhotra,Adv.

In CA 605-606/02,Mr. Maninder Singh,Adv.

TP 469/01 & 470-Ms. Pratibha M. Singh,Adv.

471/01:Mr. Ankur Talwar,Adv.

Mr. Kirtiman Singh,Adv.

Mr. Angad Mirdha, Adv.

For Respondent (s) Mr. Madan Bhatia, Sr. Adv.
Mr. Nageshwar Pandey, Adv.
Mr. Anup Sinha, Adv.
Mr. K.K. Rai, Adv.
Mr. Pramod Dayal, Adv.

For Haryana: Mr. S.S. Gulati, Adv.
Mr. Vinay Kumar Garg, Adv.
Ms. Kavita Wadia, Adv.

For Maharashtra: Mr. Ravindra K. Adsure, Adv.

For M.C.I.: Mr. Maninder Singh, Adv.
Ms. Pratibha M. Singh, Adv.
Mr. Ankur Talwar, Adv.
Mr. Kirtiman Singh, Adv.
Mr. Angad Mirdha, Adv.

Ms. Indu Malhotra, Adv.

Ms. J.S. Wad, Adv.

Mr. G.S. Chatterjee, Adv.
Mr. Raja Chatterjee, Adv.

Mr. P.H. Parekh, Adv.
Mr. E.R. Kumar, Adv.
Mr. Sanand Ramakrishnan, Adv.

Mr. Rajeev Sharma, Adv.
Mr. Pawan, Adv.

For Rajasthan: Mr. Vipul Maheshwari, Adv.
Mr. P.K. Chakravarti, Adv.
Mr. D. Stephen K. Yanthan, Adv.
Mr. Rajesh Singh, Adv.

For Travancore-Cochin: Mr. Ramesh Babu M.R., Adv.
Medical Council:

For Sikkim: Mr. A. Mariarputham, Adv.
Ms. Aruna Mathur, Adv.
for M/s. Arputham, Aruna & Co., Advs.

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For M.C.I.: Mr. K.K. Venugopal, Sr. Adv.
Mr. A. Mariarputham, Adv.
Ms. Aruna Mathur, Adv.
for M/s. Arputham, Aruna & Co., Advs.

For Assam: Ms. Krishna Sarma, Adv.
Mr. V.K. Sidharthan, Adv.
for M/s. Corporate Law Group, Advs.

For Medical Council: Mr. Uday Umesh Lalit, Adv.
Maharashtra:

For West Bengal: Mr. Dipankar P. Gupta, Sr. Adv.
Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.

For Medical Council: Mr. Badri Prasad Singh, Adv.
Delhi:

For U.O.I.: Mr. D.S. Mahra, Adv.

For Orissa:Mr. Janaranjan Das,Adv.
Mr. Swetaketu Mishra,Adv.
Ms. Moushumi Gahlot,Adv.

For Pondicherry:Mr. V.G. Pragasam,Adv.

For Tripura:Mr. Gopal Singh,Adv.
Mr. Anurag Sharma,Adv.

For Punjab:Ms. Naresh Bakshi,Adv.

For Medical CouncilMr. Sanjeev Anand,Adv.
Punjab:

For Madhya Pradesh:Mr. B.S. Banthia,Adv.

For Gujarat &Ms. Hemantika Wahi,adv.
Mizoram:Ms. Aruna Gupta,Adv.

For Kerala:Mr. K.R. Sasiprabhu,Adv.

For Goa:Ms. A. Subhashini,Adv.

For Arunachal Pd.:Mr. Anil Shrivastav,Adv.

For Manipur:Mr. Kh. Nobin Singh,Adv.
Mr. Gireesh Kumar,Adv.

Mr. Sanjay R. Hegde,Adv.

For Bihar:Mr. B.B. Singh,Adv.

Ms. V.D. Khanna,Adv.

For J&K:Mr. Anil Suhrawardy,Adv.

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For Meghalaya:Mr. Ranjan Mukherjee,Adv.

Mr. Mukesh K. Giri,Adv.

For Himachal Pd.:Mr. J.S. Attri,Adv.

For Uttaranchal:Ms. Rachana Srivastava,Adv.

For NCT of Delhi:Ms. Rekha Pandey,Adv.
Ms. Anil Katiyar,Adv.

For Uttar Pradesh:Mr. Ashok K. Srivastava,Adv.
Mr. Sandeep Singh,Adv.
Mr. Mukesh Verma,Adv.
for Mr. Kamlendra Mishra,Adv.

For Tamil Nadu:Mr. P.N. Ramalingam,Adv.

For Bengal MedicalMr. D.N. Ray,Adv.
Council:Ms. Sumita Ray,Adv.

For Nagaland:Mr. V. Hazarika,Adv.
Ms. Sumita Hazarika,Adv.

Mr. Sushil Kumar Jain,Adv.

For Andhra Pradesh:Mr. Guntur Prabhakar,Adv.
Ms. T. Anamika,Adv.

Dr. Rajiv Dhavan,Sr.Adv.

Mr. L.R. Singh, Adv.
Mr. Chandra Prakash, Adv.

Mr. K.K. Venugopal, Sr. Adv.
Mr. S.U.K. Sagar, Adv.
Ms. Bina Madhavan, Adv.
Ms. Pooja Nanekar, Adv.
for M/s. Lawyer's Knit & Co., Adv.

Mr. Ashok K. Mahajan, Adv.

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

We make it clear that pendency of these matters before this Court does not come in the way of the managements/colleges in seeking appropriate remedy or challenging the actions of the Medical Council of India/Union of India in their pointing out deficiencies, in the establishment of new colleges, fixing of intake and/or increase in intake.

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Shri Harish N Salve, learned Amicus Curiae, states that a report on behalf of the ad-hoc committee is submitted and copy of the same will be given to the learned counsel for the Union of India within ten days along with additional suggestions. A copy of the same may also be furnished to the Medical Council of India. The Union of India shall consider the report and additional suggestions, including the suggestions, if any, made by the Medical Council of India within four weeks.

Liberty is granted to the learned counsel to file synopsis in I.A. No.5.

List these matters for directions after five weeks.

[T.I. Rajput] [Shelly Sengupta]
Court Master Court Master