

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).19940/2008

(From the judgement and order dated 18/07/2008 in SCA No. 8558/2008 of The
HIGH COURT OF GUJARAT AT AHMEDABAD)

SHAIL ABHAY VASAVADA

Petitioner(s)

VERSUS

CHAIRMAN & ORS.

Respondent(s)

(With prayer for interim relief and office report)
(For Final Disposal)

Date: 13/02/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s)

Mr. Ejaz Maqbool, Adv.

For Respondent(s) Mr. Harish Salve, Sr. Adv.

Mr. Maninder Singh, Adv.

Ms. Pratiba M. Singh, Adv.

Mr. Gaurav Sharma, Adv.

Mr. Sumeet Bhatia, Adv.

Ms. Surbhi Mehta, Adv.

Mr. Ankit Gupta, Adv.

Mr. Sanjay R. Hegde ,Adv

Mr. A. Rohan Singh, Adv.

Mr. Amit Kumar Chawla, Adv.

Mr. Nishant Mishra, Adv.

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for both the parties.

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The petitioner has joined Diploma course in Ophthalmology.

Now the petitioner states that a vacancy had arisen in the Degree Course in
Ophthalmology and he desires to get admission in Degree Course. Learned
counsel for the petitioner states that the petitioner is eligible candidate to
get admission in Degree Course in the vacant seat.

Learned counsel appearing for the respondent opposed the
admission of the petitioner in the Degree course. He submitted that there
may be other eligible candidates who are entitled to get admission. He also

submitted that due to lapse of time, such record does not exist in the University.

We clarify and direct that the petitioner may be granted admission in the Degree Course in Ophthalmology, if no other higher merit candidate in the BJ Medical College, Ahmedabad is available. This order is passed in the peculiar circumstances of the case and can not be cited as a precedent for other cases.

The special leave petition is disposed of.

(Sushma Batra)
Sr. P.A.

(Veera Verma)
Court Master