

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(s). 661 OF 2004

CHRISTIAN MEDICAL COLLEGE & ANR.

Petitioner(s)

VERSUS

STATE OF PUNJAB & ORS.

Respondent(s)

(With appln(s) for directions, stay and office report)

(With I.As.4-6 for permission to file additional affidavit of facts/
subsequent events and to place on record notification and for directions)

Date: 07/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s) Mr. Mukul Rohtagi, Sr.Adv.

Mr. Ajay K. Sharma, Adv.

Mr. Rakesh K. Sharma, Adv.

For Respondent(s)

For M.C.I.:

Mr. Maninder Singh, Adv.

Ms. Pratibha M. Singh, Adv.

Mr. Angad Mirdha, Adv.

Mr. Saurabh Mishra, Adv.

For University:

Mr. Anupam Gupta, Adv.

Mr. Sanjay Bansal, Adv.

Mr. Reepak Kansal, Adv.

Mr. G.K. Bansal, Adv.

For State:

Mr. R.K. Rathore, AAG.

Mr. S.Krishanraj, Adv.

Mr. Bimal Roy Jad, Adv.

UPON hearing counsel the Court made the following

O R D E R

Many of the issues sought to be raised in this petition are being argued in

S.L.P.(C) No.9932/2004 before seven-Judge Constitution Bench. The petitioners,

however, seek interim order in regard to admissions in Post Graduate Courses. They

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pray that the results of Common Entrance Test conducted by the petitioners on 21st

February, 2005 shall be permitted to be declared and admissions made to all the seats in

that course. According to the Schedule, for completion of admission process in the Post

Graduate Courses, as provided in the Regulations framed by the Medical Council of

India, the last date is 7th April insofar as All India quota is concerned and 1st May

insofar as State quota is concerned. Ordinarily, the Management quota shall be filled in

by 1st May.

The question being raised by the petitioner is that in the institution in question, being

unaided minority institution, there cannot be any State quota. According to the State,

the quota of fifty per cent which has been fixed is valid as per the notification dated 16th

February, 2005. According to them, the entrance examination has been announced to be held by the University on 3rd of April, 2005.

Be that as it may, for the present, awaiting the conclusion of the arguments

and pronouncement of judgment in the cases before seven-Judge Constitution Bench, we

permit the petitioners to declare the result of the examination stated to have been held

on 21st February, 2005 and fill, for the present, fifty per cent of the seats in the Post

Graduate Courses.

The matter shall be listed in the last week of April, 2005.

(N. Annapurna)

Court Master

(V.P. Tyagi)

Court Master