

ITEM NO.1

COURT NO.4

SECTION IVA

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).23199/2010

(From the judgement and order dated 06/08/2010 in IA No.8450/2010
& WP No.9438/2009 of the HIGH COURT OF M.P. AT JABALPUR)

PEOPLE'S COL.OF MED.SC.& RES.CEN.& ANR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

S.L.P.(C)...CC NO. 12369 of 2010
(For permission and exemption and office report)

S.L.P.(C)...CC NO. 12370 of 2010
(For permission and exemption and office report)

Date: 19/08/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. K.K. Venugopal, Sr. Adv.
Mr. C.A. Sundaram, Sr. Adv.
Dr. Rajeev Dhawan, Sr. Adv.
Mr. Puneet Jain, Adv.
Mr. A.P. Shroti, Adv.
Mr. Abhishek Gupta, Adv.
Mr. Sushil Kumar Jain, Adv.

Mr. B.K. Satija, Adv.

Mr. Sarad Kumar Singhania, Adv.

For Respondent(s) Mr. Amarendra Sharan, Sr. Adv.
Mr. Sanchit Grover, Adv.
Mr. Amit Kumar, Adv.

2

For R-6 Mr. Mahendra Pateria, Adv.
Mr. Akshat Shrivastava, Adv.
Mr. P.P. Singh, Adv.

For R-5 Mr. B.S. Banthia, Adv.
(State of M.P.) Mr. Vikas Upadhyay, Adv.
Mr. M.P. Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

Permission to file SLP is granted in SLP(C)
Nos.....CC 12369/2010 & 12370/2010.

Mr. Amarendra Sharan, learned senior counsel appearing on behalf of the Board of Governors, Medical Council of India, submits that though the students' initial admission is irregular and illegal but in deference to the Court's intervention, they have decided to permit 150 students to appear in the examinations which are scheduled to commence from 23rd August, 2010. Mr. Sharan further submits that in lieu of permitting these 150 students, the Petitioner Institution would be required to surrender 150 seats from the Management quota in the next five academic years.

Mr. K.K. Venugopal, learned senior counsel appearing on behalf of the Institution submits that 63 seats from the management quota have already been taken by the respondents. He further submits that the admissions of 150 students were neither illegal nor irregular.

3

At this juncture, we are not adjudicating on the rival contentions of the parties because the main writ petition is still pending in the High Court. We direct the Medical Council of India to file a proper affidavit before the High Court of M.P. at Jabalpur, within three weeks from today with an advance copy thereof to the other side, who would be at liberty to file rejoinder thereto, if any, within two weeks thereafter. This controversy would also be decided along with the writ petition.

In the facts and circumstances of this case, we request the High Court to dispose of the main writ petition as expeditiously as possible, in any event, within two months from the date of communication of this order. The High Court would be entitled to decide the writ petition without being influenced by any observation made in this order.

These special leave petitions are accordingly disposed of.

(A.S. BISHT)
COURT MASTER

(NEERU BALA VIJ)
COURT MASTER