

ITEM NO.43

COURT NO.8

SECTION X

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

Writ Petition(s)(Civil) No(s). 730/2022

ABHISHEK YADAV & ORS.

Petitioner(s)

VERSUS

ARMY COLLEGE OF MEDICAL SCIENCES & ORS.

Respondent(s)

(IA No. 217629/2023 - APPLICATION FOR PERMISSION, IA No. 218192/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 127063/2022 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 218191/2023 - INTERVENTION/IMPLEADMENT, IA No. 221315/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

WITH

W.P.(C) No. 150/2024 (X)

W.P.(C) No. 77/2024 (X)

W.P.(C) No. 35/2024 (X)

W.P.(C) No. 344/2024 (X)

(FOR ADMISSION and IA No.125031/2024-EXEMPTION FROM FILING O.T.)

W.P.(C) No. 349/2024 (X)
FOR ADMISSION

W.P.(C) No. 688/2024 (X)
FOR ADMISSION

W.P.(C) No. 632/2024 (X)
FOR ADMISSION

W.P.(C) No. 71/2025 (X)
(FOR ADMISSION)

W.P.(C) No. 397/2025 (X)
(IA No. 101204/2025 - EXEMPTION FROM FILING O.T.)

Date : 01-08-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Mr. Raghav Sabharwal , AOR

Ms. Tanvi Dubey, AOR

Mr. Yash Dubey, Adv.
 Mr. Mekala Ganesh Kumar Reddy, Adv.
 Mr. Vansh Chauhan, Adv.

Mr. Vaibhav Gaggar, Sr. Adv.
 Ms. Kokila Kumar, Adv.
 Ms. Monika Lakhnopal Gaggar, Adv.
 Mr. Sudhanshu Kaushesh, Adv.
 Mr. Pulkit Agarwal, AOR
 Mr. Somdev Tiwari, Adv.
 Kokila Kumar, Adv.
 Mr. Vansh Shrivastav, Adv.

For Respondent(s) Mr. Tejaswi Kumar Pradhan, AOR
 Mr. Manoranjan Paikaray, Adv.
 Mr. Pranab Samantary, Adv.

Mr. R Balasubramanian, Sr. Adv.
 Mr. Santosh Kumar Pandey, AOR
 Mr. B Venkatraman, Adv.
 Ms. Sanya Minhas, Adv.

Mr. Praveen Khattar, Adv.
 Mr. Sumit R. Sharma, AOR

Mr. Rohit K. Singh, AOR
 Mr. Yashveer Singh, Adv.
 Mr. Shivansh Pundir, Adv.

Mr. Harsh Kaushik, AOR

Mrs. Aishwarya Bhati, A.S.G. (NP)
 Mr. Mukesh Kumar Maroria, AOR
 Mr. Apoorv Kurup, Adv.
 Mr. Shubhendu Anand, Adv.
 Mr. Madhav Sinhal, Adv.
 Mr. Raghav Sharma, Adv.
 Mrs. Rashmi Singhania, Adv.

Ms. Aishwarya Bhati, A.S.G. (NP)
 Mr. Sudarshan Lamba, AOR
 Mr. Apoorv Kurup, Adv.
 Mr. Shubhendu Anand, Adv.
 Mr. Madhav Sinhal, Adv.
 Mr. Raghav Sharma, Adv.
 Mr. Vishnu Shankar Jain, Adv.

Mr. Prateek Bhatia , AOR

Mr. Nishe Rajen Shonker, AOR
 Mr. Anu K Joy, Adv.
 Mr. Alim Anvar, Adv.

Mrs. Devika A.l., Adv.
Mr. Santhosh K, Adv.

Applicant-in-person, AOR

Mrs. Aishwarya Bhati, A.S.G.(NP)
Mr. Mukesh Kumar Maroria, AOR
Mr. Apoorv Kurup, Adv.
Mr. Shubhendu Anand, Adv.
Mr. Madhav Sinhal, Adv.
Mr. Raghav Sharma, Adv.
Mrs. Rashmi Singhanian, Adv.

Mr. Shashank Manish, AOR
Ms. Nidhi Sahay, Adv.
Ms. Pragati Singh, Adv.
Mr. Himanshu Raj, Adv.

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

Mr. R Balasubramanian, learned senior counsel who appears for the Army College Of Medical Sciences (for short 'the Army College') has very fairly made a statement that the Army College will give the same stipend i.e. Rs.25,000/- per month to the interns who are in Army College from 2021-2022 (batch of 2018-2022 and graduated in 2022), considering that there is an interim order passed on 15.09.2023 for similar persons in the directions given in para 7 & 8 of this order, reads as follows:

"7 We accordingly pass the following interim order:
(i) Commencing from 1 October 2023, the first respondent shall pay a stipend of Rs 25,000 per month to each of the present batch of interns and continue to do so on a monthly basis. The amount has been fixed having due regard to the fact that an amount of Rs 27,000 is paid as stipend at the Vardhman Mahavir Medical College (Safdarjung Hospital), Rs 25,000 per month at the Babasaheb Ambedkar Medical College (Babasaheb Ambedkar Medical Hospital) and an amount of Rs 24,000 per

month at the NDMC Medical College (Hindu Rao Hospital); and

(ii) The first respondent is granted permission to move the State Fee Regulatory Committee with a statement of likely financial impact consequent upon the payment of stipend as directed. The State Fee Regulatory Committee shall within a period of one month make a determination on whether any enhancement in the fees would be necessary to meet the additional outgoing on the above head bearing in mind that the facilities which are provided to the students are stated to be substantially subsidized."

As regarding stipend to the interns who are similarly situated of those petitioners for the batch commencing from 01.10.2023 for whom Rs.25,000/- per month stipend was fixed and we have been informed that this stipend has been given. As regards the previous batch in para 8, which reads as follows:

8 Insofar as the earlier batch is concerned, this Court may be inclined after giving a hearing to all the concerned stakeholders to fix a lump sum payment for the immediately previous batch which has moved these proceedings under Article 32 of the Constitution. The College may factor in the likely payment on this account by taking suitable directions from the State Fee Regulatory Committee in that regard."

We are of the opinion that after hearing Mr.R.Balasubramanian, learned senior counsel and Mr. Shashank Manish, learned counsel for the petitioner(s)/applicant(s), the same benefit ought to be given to the previous batch as well.

Since nothing has come out from the respondent(s) as to the quantum of amount to be given by them. Consequently, we direct that the interns of previous batch i.e. 2021-2022 (batch of 2018-2022 and graduated in 2022), who have done their internship from the Army College shall also be paid an amount of Rs.25,000/-per month.

Let the same be calculated and be given within a period of eight weeks from today.

Petitioner(s)/applicant(s) shall provide all the details to the Army College for appropriate compliance of this order.

List on 07.10.2025 for final disposal.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(RENU BALA GAMBHIR)
ASSISTANT REGISTRAR