

ITEM NO.4

COURT NO.12

SECTION XV

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).24967/2011

(From the judgement and order dated 10/08/2011 in SBCWP
No.2946/2010,DBC SA No.407/2011 of The HIGH COURT OF RAJASTHAN AT
JAIPUR)

SABIHA NAZ AND ORS

Petitioner(s)

VERSUS

RAJASTHAN UNIVERSITY OF HEALTH SC&ORS.

Respondent(s)

(With appln(s) for directions, deleting the name of respondent and
prayer for interim relief and office report)

WITH SLP(C) NO. 25353 of 2011

(With appln.(s) for permission to place addl.documents on record
and deleting the name of respondent and with prayer for interim
relief and office report)

Date: 31/01/2012 These Petitions were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Petitioner(s) Mr. Maninder Singh, Sr. Adv.
 Mr. J.S. Bhasin, Adv.
 Mr. Surbih Mehta, Adv.
 Ms. Rashmi Priya, Adv.
 Mr. Gaurav Sharma, Adv.

 Mr. P.S. Narsimha, Sr. Adv.
 Mr. T. Mahipal, Adv.
 Ms. Rashmi Priya, Adv.
 Mr. Abinash Kumar, Adv.

For Respondent(s) Mr. Jasbir Singh Mallik, AAG, Rajasthan
 Mr. Hitesh Malik, Adv.
 Mr. Digendra Sharma, Adv.

(For MCI) Mr. Amit Kumar, Adv.
 Mr. Ashish Kumar, Adv.
 Mr. Atul Kumar, Adv.
 Ms. Rekha Bakshi, Adv.
 Mr. Sameer Kumar, Adv.
 Mr. Rajiv Agrawal, Adv.

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Mr. Naveen Kumar Chauhan, Adv.
Mr. Rahul Singh Chauhan, Adv.
Mr. Praveen Swarup, Adv.

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

Heard learned counsel for the parties.

Perused the results of the petitioners

of 1st Professional and 2nd Professional Examinations.

Pursuant to interim orders passed by this Court on 25.1.2012 in SLP(C) No.4 and 6, the petitioners namely, Pinky and Ankit Mehra, who have passed the 1st & 2nd Professional Examination shall be allowed to continue to take the 3rd Professional Examination and petitioners No.1, 2 and 3, namely, Sabiha Naz, Anubhuti Bhardwaj and Neha Saini who have passed the 1st Professional Examination but have not passed the 2nd Professional Examination shall be allowed to continue the Second Professional Examination (Remand), but will not be allowed to continue to take the Third Professional Examination. The petitioner No.5-Anju Choudhary who has not passed either the First Professional or the Second Professional Examination will not be allowed to take the Second or Third Professional Examination.

The results of the examinations taken by the petitioners pursuant to the interim order of this Court passed on 25.1.2012 will be kept in a sealed cover and will not be declared

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until further orders.

The interim orders will be subject to final orders passed by this Court in these special leave petitions and no equity will arise therefrom.

Dr. Sanjay Kumar Singhal, Assistant Professor of the University, who is present in the Court, will show the results to the six students.

We are informed that the issue which has been raised in these special leave petitions has also been raised in the Civil Appeal arising out of SLP(C)No.23763/2009 and connected matters and is pending in this Court.

Since the judgment of this Court on the issue will affect the fate of many students of MBBS who are studying in different Colleges and Universities as well as the working of the Colleges and the Universities in the country, we are of the opinion that these special leave petitions should be listed alongwith the Civil Appeals arising out of SLP(C)No.23763/2009 and connected matters referred to above on 7th February, 2012 for final hearing.

Registrar will place the matter before Hon'ble the Chief Justice of India for such orders as His Lordship deems fit.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master