

ITEM NO.51

COURT NO.3

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 DBCSA 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 exemption from filing O.T. and prayer for interim relief and office report)

WITH SLP(C) NO. 25353 of 2011

(With appln.(s) for exemption from filing O.T., permission to place addl. documents on record, prayer for interim relief and office report)

Date: 09/09/2011 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Gopal Subramaniam, Sr. Adv.  
Mr. S.P. Sharma, Sr. Adv.  
Mr. T. Mahipal, Adv.

Mr. Maninder Singh, Sr. Adv.  
Mr. K.V. Vishwanathan, Sr. Adv.  
Mr. J.S. Bhasin, Adv.  
Ms. Rashmi Priya, Adv.  
Mr. Gaurav Sharma, Adv.

For Respondent(s) Mr. Jasbir Singh Malik, Addl.AG  
Mr. Milind Kumar, Adv.

Mr. Amit Kumar, Adv.  
Mr. Ashish Kumar, Adv.  
Mr. Avijit Mani Tripathi, Adv.

UPON hearing counsel the Court made the following

O R D E R  
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Learned counsel for the State of Rajasthan has not been able to point out at this stage any statutory rule requiring a candidate seeking admission to MBBS to appear and pass Rajasthan Pre-Medical Test. What is relied upon are the MCI Graduate Medical Education Regulations. But the dispute is whether Regulation 5(1) would apply or 5(2) would apply having regard to the facts of the case and the MCI's letter dated 16.9.2009.

In view of the above, we do not propose to modify the interim direction already given yesterday. Without prejudice to the contentions of the respondents, the petitioners may attend their classes.

As already stated, the interim direction will not entitle the students to claim any equities. If after the counters are filed, if the order should be altered by the final order, the students will not get any relief.

Counter to be filed in two weeks and rejoinder to be filed in one week thereafter. List thereafter.

( Ravi P. Verma )  
AR-cum-PS

( M.S. Negi )  
Court Master