

OUT TODAY

ITEM NO.3C(MM)

COURT NO.3

SECTION X

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
I.A.NO.5 IN  
WRIT PETITION (CIVIL) NO(s). 385 OF 2011

ICARE INST.OF MED.SCIENCE & RES.& ORS. Petitioner(s)

VERSUS

STATE OF WEST BENGAL & ORS. Respondent(s)

(With appln(s) for modification/clarification)

Date: 27/09/2011 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 subramanium, Sr. Adv.
Dr.	Rajeev Dhavan, Sr. Adv.
Mr.	R.S. Suri, Sr. Adv.
Mr.	Dharmesh Mishra, Adv.
Mr.	N.L. Ganapathi, Adv.
Mr.	Ruchi Singh, Adv.
Mr.	Kripa Shankar Prasad, Adv.
Ms.	Suruchi Suri, Adv.

For Respondent(s)

Mr.	Mukul Rohatgi, Sr. Adv.
Mr.	Kalyan Bandopadhyay, Sr. Adv.
Mr.	Soumitra G. Chaudhuri, Adv.
Mr.	Raja Chatterjee, Adv.
Mr.	Abhijit Sengupta, Adv.
Mr.	B.P. Yadav, Adv.

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

I.A. No.5 filed by respondent 1 and 4 taken on  
board. Heard learned counsel for the parties.

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The applicants have produced a letter dated 22.9.2011 sent by Prof.(Dr.) Prabir Kumar Sur, Pro-Vice-Chancellor of West Bengal University of Health Sciences to the fourth respondent stating that the I.C.A.R.E, Institute of Medical Sciences and Research, Haldia, Purba Medinipure, does not have a separate building for its Medical College and that it is functioning from the building of Haldia Institute of

Dental Sciences and Research and that this fact came to his notice when he visited the College on 4.9.2011 to oversee the admission test for BDS Course.

The fifth Respondent-University to file an affidavit disclosing the following information:

- (a) When was the affiliation granted by the fifth Respondent University to petitioner Medical College?
- (b) Whether Prof.(Dr.) Prabir Kumar Sur was the Pro-Vice-chancellor when the affiliation was granted?
- (c) Whether the University inspected the petitioner College for granting affiliation and who inspected the college?
- (d) If the College did not have a building for Medical College, how was affiliation granted?
- (e) Whether the University brought this to the notice of MCI?

One of the prayers in IA 5 is for a direction to MCI to investigate into the allegations by Respondents 1 and 4 against the petitioner college.

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One of the allegations is that the college does not have a separate building and facilities. Respondent No.6 (MCI) is directed to investigate the matter and file a report before this Court.

The petitioners are directed to file a list of 50 students (with their marks) said to have been already admitted under the management quota in pursuance of the interim order dated 16.9.2011.

Mr. Mukul Rohatgi, learned senior counsel appearing for the State submits that State is ready to send all the 100% students if necessary and the State will allot 50% students to the College tomorrow as per the order dated 16.9.2011.

List the matter tomorrow for consideration of I.A.No.5.

