r# IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4198 OF 2007
(ARISING OUT OF S.L.P.(C) NO. 21096 OF 2006)

NIKHIL & ANOTHER ...APPELLANTS

VERSUS

STATE OF M.P. & OTHERS ...RESPONDENTS

ORDER

1. Leave granted.

2. Heard learned counsel for the parties.

3. Respondent No. 4 had filed writ petition No. 1060 of 2004 before the High Court in the year 2004 challenging his admission in S.S. Medical College, Rewa, M.P. and writ petition No. 283 of 2004 was filed by petitioner No. 2 challenging her transfer from G.R. Medical College, Gwalior to MGM College, Indore. The learned Single Judge by order dated 30.11.2006 allowed the writ petition No. 1060 of 2004 and dismissed the writ petition No. 283 of 2005 filed by the petitioner No.2. Against the said order, the petitioners filed writ appeals before the Division Bench. The Division Bench affirmed the findings of the Single Judge and dismissed the appeals. Aggrieved against the impugned order of the High Court, present appeal has been filed.

4. It will be pertinent to mention here that the writ petitions were filed in the year 2004 and the same were finally disposed of by the Single Judge of the High Court on 30.11.2006 and by the Division Bench on 5.12.2006. The three students who are involved in the litigation have been continuing their studies in their respective colleges for more than two years. Though the respondent No. 4 and petitioner No. 2 had filed writ petitions before the High Court, we do not think that in the facts and circumstances of the case, it will be justified to order transfer of these students from one college to another. Learned counsel for the petitioner No. 1 submits that the college in which the

petitioner No. 1 got admission is not running properly.

Because of the lapse of the time, we cannot accept this

contention at this stage. Accordingly, we set-aside the impugned

orders of the High Court and direct that the status quo as of

today shall be maintained till the study of the three students involved in the present litigation is over.

5. The Civil Appeal is, accordingly, disposed of. There

shall be no order as to costs.

.....CJI.
[K.G. BALAKRISHNAN]

.....J.
[R.V. RAVEENDRAN]

.....J.
[D.K. JAIN]

NEW DELHI
SEPTEMBER 10, 2007.

ITEM NO.44 COURT NO.1 SECTION IVA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 4198 OF 2007
(@ of Petition(s) for Special Leave to Appeal (Civil) No(s).21096/2006)

(From the judgement and order dated 05/12/2006 in WA No. 685/2006 & WA No. 686/2006 of The HIGH COURT OF M.P. JABALPUR BENCH AT INDORE)

NIKHIL & ANR. Petitioner(s)

VERSUS

STATE OF M.P. & ORS. Respondent(s)

(With appln(s) for permission to file additional documents and exemption from filing O.T. and modification/vacation of stay order and with and prayer for interim relief and office report)

Date: 10/09/2007 This Petition was called on for hearing today.

CORAM :
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s) Mr. Sushil Kumar Jain,Adv.
Mr. Puneet Jain, Adv.
Ms. Christi Jain, Adv.
Ms. H.D. Thanvi, Adv.
Mr. Piyush Jain, Adv.

For Respondent(s) Mr. Aditya Sanghi, Adv.
Mr. Prakash Shrivastava,Adv.
Mr. Miten Mahapatra, Adv.

Mr. B.S. Banthia ,Adv

UPON hearing counsel the Court made the following
ORDER

Leave granted.

Appeal is disposed of in terms of signed order.

There shall be no order as to costs.

(PARDEEP KUMAR)
COURT MASTER

(VEERA VERMA)
COURT MASTER