

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

TRANSFER CASE (CIVIL) NO.98 OF 2012

CHRISTIAN MEDICAL COLLEGE VELLORE & ORS

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(With appln(s) for interim relief, intervention, impleadment, directions,  
c/delay in filing additional grounds, permission to  
file affidavit and office report)  
(For final disposal)

WITH T.C.(C) NO.99/2012

(With appln.(s) for interim relief and impleadment and office report)  
(For final disposal)

T.C.(C) NO.101/2012

(With appln.(s) for impleadment)  
(For final disposal)

T.C.(C) NO.100/2012

(For final disposal)

T.C.(C) NO.102/2012

(With appln.(s) for impleadment)  
(For final disposal)

T.C.(C) NO.103/2012

(With appln.(s) for impleadment)  
(For final disposal)

W.P.(C) NO.480/2012

(With appln.(s) for ex-parte stay and office report)  
(For final disposal)

T.C.(C) NO.104/2012

(With appln.(s) for impleadment)  
(For final disposal)

T.C.(C) NO.105/2012

(With appln.(s) for impleadment)  
(For final disposal)

W.P.(C) NO.468/2012

(With appln.(s) for directions and office report)  
(For final disposal)

W.P.(C) NO.467/2012

(With appln.(s) for stay and office report)  
(For final disposal)

W.P.(C) NO.478/2012

(With appln.(s) for permission to file synopsis and list of dates  
and stay and office report)

(For final disposal)

T.C.(C) NO.107/2012

(For final disposal)

T.C.(C) NO.108/2012

(For final disposal)

W.P.(C) NO.481/2012

(With appln.(s) for ex-parte stay, exemption from filing O.T. and office  
report)

W.P.(C) NO.464/2012

(With appln.(s) for stay, impleadment as party respondent  
and office report)

(For final disposal)

T.C.(C) NO.110/2012

(With appln.(s) for impleadment and permission to file additional grounds)  
(For final disposal)

T.C.(C) NOS.132-134/2012

(For final disposal)  
T.C.(C) NOS.117-118/2012  
(With appln.(s) for impleadment)  
(For final disposal)  
T.C.(C) NOS.115-116/2012  
(With appln.(s) for impleadment)  
(For final disposal)  
T.C.(C) NOS.125-127/2012  
(For final disposal)  
T.C.(C) NOS.113-114/2012  
(With appln.(s) for impleadment)  
(For final disposal)  
T.C.(C) NOS.128-130/2012  
(For final disposal)  
T.C.(C) NOS.121-122/2012  
(For final disposal)  
T.C.(C) NO.112/2012  
(With appln.(s) for impleadment and raise additional documents)  
(For final disposal)  
T.C.(C) NO.131/2012  
(For final disposal)  
T.C.(C) NOS.123-124/2012  
(With appln.(s) for impleadement)  
(For final disposal)  
T.C.(C) NO.111/2012  
(With appln.(s) for impleadement)  
(For final disposal)  
T.C.(C) NO.120/2012  
(With appln.(s) for impleadement)  
(For final disposal)  
T.C.(C) NO.119/2012  
(With appln.(s) for impleadement)  
(For final disposal)  
T.C.(C) NOS.135-137/2012  
(With appln.(s) for impleadement)  
(For final disposal)  
T.C.(C) NOS.138-139/2012  
(For final disposal)  
W.P.(C) NO.495/2012  
(With appln.(s) for stay and office report)  
(For final disposal)  
W.P.(C) NO.511/2012  
(With appln.(s) for stay and office report)  
(For final disposal)  
W.P.(C) NO.512/2012  
(With appln.(s) for stay and office report)  
(For final disposal)  
W.P.(C) NO.514/2012  
(With appln.(s) for stay and office report)  
(For final disposal)  
W.P.(C) NO.516/2012  
(With appln.(s) for stay and office report)  
(For final disposal)  
W.P.(C) NO.519/2012  
(With appln.(s) for stay and office report)  
(For final disposal)  
W.P.(C) NO.535/2012  
(With appln.(s) for stay and office report)  
(For final disposal)  
T.C.(C) NO.142/2012 @ T.P.(C) NO.364/2012  
(With appln.(s) for impleadement and office report)  
(For final disposal)  
W.P.(C) NO.544/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
W.P.(C) NO.546/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
W.P.(C) NO.547/2012

(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.144/2012 @ T.P.(C) NO.1524/2012 & 1447/2012  
(For final disposal)  
T.C.(C) NO.145/2012  
(With office report)  
(For final disposal)  
T.C.(C) NO.1/2013 @ T.P.(C) NO.1527/2012  
(For final disposal)  
T.C.(C) NOS.14-15/2013 @ T.P.(C) NOS.1672-1673/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.76/2013 @ T.P.(C) NO.1702/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.12-13/2013  
WITH T.C.(C) NO.4/2013  
(For final disposal)  
T.C.(C) NO.11/2013  
T.C.(C) NOS.21-22/2013 @ T.P.(C) NO.1714-1715/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.5/2013 @ T.P.(C) NO.1718/2012  
(For final disposal)  
W.P.(C) NO.2/2013  
(With appln.(s) for directions office report)  
(For final disposal)  
W.P.(C) NO.1/2013  
(With appln.(s) for directions office report)  
(For final disposal)  
T.C.(C) NO.60/2013 @ T.P.(C) NO.12/2013  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
W.P.(C) NO.13/2013  
(With appln.(s) for ex-parte stay office report)  
(For final disposal)  
W.P.(C) NO.15/2013  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
W.P.(C) NO.16/2013  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
W.P.(C) NO.20/2013  
(With appln.(s) for permission to file synopsis and list of dates  
and stay/direction and office report)  
(For final disposal)  
T.C.(C) NO...../2013 @ T.P.(C) NO.31/2013  
(With office report)  
(For final disposal)  
T.C.(C) NO.2/2013 @ T.P.(C) NO.1532/2012  
(For final disposal)  
T.C.(C) NO.8/2013  
T.C.(C) NO.3/2013 @ T.P.(C) NO.1533/2012  
(With office report)  
(For final disposal)  
W.P.(C) NO.24/2013  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.9/2013  
T.C.(C) NO.17/2013 @ T.P.(C) NO.1588/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
W.P.(C) NO.483/2012  
(With appln.(s) for ex-parte stay, permission to file additional documents  
and office report)  
(For final disposal)  
W.P.(C) NO.501/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)

W.P.(C) NO.502/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
W.P.(C) NO.504/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
W.P.(C) NO.507/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.10/2013  
T.C.(C) NO.7/2013 @ T.P.(C) NO.1644/2012  
(With office report)  
T.C.(C) NO.18/2013 @ T.P.(C) NO.1645/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.75/2013 @ T.P.(C) NO.1647/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.19/2013 @ T.P.(C) NO.1653/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.20/2013 @ T.P.(C) NO.1654/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.59/2013 @ T.P.(C) NO.1656/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.53/2013 @ T.P.(C) NO.1658/2012  
T.C.(C) NO.25/2013 @ T.P.(C) NO.1671/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.23-24/2013 @ T.P.(C) NO.1697-1698/2012  
(With appln.(s) for ex-parte stay and office report)  
(For final disposal)  
T.C.(C) NO.58/2013 @ T.P.(C) NO.1/2013  
(With appln.(s) for directions and office report)  
(For final disposal)  
W.P.(C) NO.27/2013  
(With appln.(s) for ex-parte stay and office report)  
T.C.(C) NO.72/2013 @ T.P.(C) NO.58/2013  
(With office report)  
T.C.(C) NO.16/2013  
T.C.(C) NO.61/2013  
T.C.(C) NO.73/2013 @ T.P.(C) NO.75/2013  
(With appln.(s) for ex-parte stay and office report)  
T.C.(C) NO...../2013 @ T.P.(C) NO.79/2013  
(With appln.(s) for ex-parte stay and office report)  
T.C.(C) NO.62/2013  
W.P.(C) NO.47/2013  
(With appln.(s) for ex-parte stay and office report)  
T.C.(C) NO.28-29/2013  
T.C.(C) NO.30/2013  
T.C.(C) NO.31-32/2013  
T.C.(C) NO.33-36/2013  
T.C.(C) NO.37-38/2013  
T.C.(C) NO.39/2013  
T.C.(C) NO.40/2013  
T.C.(C) NO.41/2013  
T.C.(C) NO.42/2013  
T.C.(C) NO.43/2013  
T.C.(C) NO.44/2013  
T.C.(C) NO.45/2013  
T.C.(C) NO.46/2013  
T.C.(C) NO.47/2013  
T.C.(C) NO.48/2013  
T.C.(C) NO.49/2013  
W.P.(C) NO.66/2013  
(With appln.(s) for ex-parte stay and office report)  
W.P.(C) NO.76/2013

(With appln.(s) for ex-parte stay and office report)

W.P.(C) NO.74/2013

(With appln.(s) for ex-parte stay and office report)

T.C.(C) NOS.63-65/2013

T.C.(C) NOS.66-69/2013

T.C.(C) NOS.70-71/2013

W.P.(C) NO.41/2013

W.P.(C) NO.228/2013

(With appln.(s) for directions and exemption from filing O.T. and office report)

W.P.(C) NO.168/2013

(With appln.(s) for interim relief)

Date: 30/04/2013 These Petitions were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE ANIL R. DAVE  
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Petitioner(s) Mr. L. Nageshwara Rao, Sr. Adv.  
TC 100-101/12, Mr. Allanki Ramesh, Adv.  
WP 464/12 & Ms. G. Madhavi, Adv.  
WP 4/13 Mr. Y. Rajesh Kumar, Adv.  
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TC (C) 98/12 Mr. A.K. Panda, Sr. Adv.  
Mr. Lingaraj Sarangi, Adv.  
Mr. Satyajit Behera, Adv.

TC 98 & 99/12 Mr. Harish N. Salve, Sr. Adv.  
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Mr. E.R. Kumar, Adv.  
Ms. Aparajita Singh, Adv.  
Ms. Gayatri Goswami, Adv.  
Ms. Geethi Ara, Adv.  
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Mr. Sanjay Misra, Adv.  
Mrs. Sangita Chauhan, Adv.  
Mr. Rakesh K. Sharma, AOR

TP 2, 43, 44 & Mr. Sanjay R. Hegde, Adv.  
60/13 Mr. S. Nithin, Adv.  
Mr. Amit Kumar Mishra, AOR

WP 467/12 Mr. G. Umopathy, Adv.

Mr. Rakesh K. Sharma, AOR

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Ms. Meenakshi Arora, AOR

WP 15/13

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Mr. Y. Rajesh Kumar, Adv.

Ms. Manju Jana, Adv.

Ms. Shilpi, Adv.

Mr. Lokesh Kumar Sharma, Adv.

TC 110 & 111/12 Mr. B. Balaji, AOR

TC 117-118/12 & Ms. Shashi Kiran Shetty, Adv.

TC 123-124/12

Mr. Sharan Thakur, Adv.

Dr. Sushil Balwada, AOR

TC 132-134/12

Mr. P. Vishwanatha Shetty, Sr. Adv.

Ms. Shashi Kiran Shetty, Adv.

Mr. Sharan Thakur, Adv.

Dr. Sushil Balwada, AOR

TC 112/12

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Ms. Bina Madhavan, Adv.

Ms. Anindita Pujari, Adv.

Ms. Praseena E. Joseph, Adv.

for M/s. Lawyer's Knit & Co.

TC 113-114/12

Mr. L. Nageshwar Rao, Sr. Adv.

Mr. R. Jagannath G., Adv.

Ms. E.R. Sumathy, AOR

TC 121-122 &  
135-137/12

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Mr. Naveen R. Nath, AOR

Ms. L.M. Bhat, Adv.

Mr. Darpan K.M., Adv.

Mr. Rameshwar Prasad Goyal, AOR

WP 511, 512, 514,  
516 & 519 of 2012

Mr. Dharmendra Kumar Sinha, AOR

WP 535/12

Mr. Jayanth Muth Raj, Adv.

Mrs. Malavika J., Adv.

Mr. Sureshan P., AOR

Mr. Radha Shyam Jena, AOR

TC 145/12 &  
TC 9/13

Mr. Rajiv Yadav, Adv.

Mr. Amit Anand Tiwari, AOR

TC 1 & 3/13

Mr. Ajit Kumar Sinha, Sr. Adv.

Mr. Ashwarya Sinha, Adv.

Mrs. Priyanka Sinha, Adv.

Ms. Karnika Seth, Adv.

Mr. Ambhoj Kumar Sinha, AOR

WP 2/13

Mr. Ambar Qamaruddin, AOR

IA 3 IN TC 98/12  
WP 13/13

Mr. G.S. Kannur, Adv.

Mr. Rajesh Kumar, Adv.

Ms. Savita Danda, Adv.

Mr. Lokesh Kumar, Adv.

Mr. Nirada Das, Adv.

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Mr. Avijitmani Tripathi, Adv.  
Mr. Rituraj Kr., Adv.  
Mr. Atul Kumar, Adv.  
Mr. M.K. Ghosh, Adv.  
Mrs. Dephin, Adv.  
Mr. Sunil Kumar, Adv.  
Mr. Ashish Kumar, Adv.

TC 98/12  
Mr. Sidharth Luthra, ASG  
Mr. Mukul Gupta, Sr. Adv.  
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Mr. Arjun Diwan, Adv.  
Ms. Akansha Tandan, Adv.  
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Ms. Sushma Suri, AOR

TC 98/12 &  
TC 99/12  
Mr. V. Prabhakar, Adv.  
Mr. R. Chandrachud, AOR  
Ms. Jyoti Prashar, Adv.

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Mr. Rajeev Sharma, Adv.  
Mr. Ajay Sharma, Adv.  
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TC 98/12  
Mrs. Vaijyanthi Girish, AOR

TC 98/12  
For NBE  
Mr. T.R. Andhiyarujina, Sr. Adv.  
Mr. Rudreshwar Singh, Adv.  
Mr. Rakesh Gosain, Adv.  
Mr. Kaushik Poddar, AOR

IA 2/13 in  
TC 101/12  
Mr. Garvesh Kabra, AOR  
Mr. Y. Raja Gopala Rao, AOR

TC 110-111/12  
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Mr. B. Balaji, AOR  
Mr. T. Mouli Mahendan, Adv.  
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For AIIMS  
TC 107/12 &  
WP 74/13  
Mr. Mukul Gupta, Sr. Adv.  
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Ms. Anjali Chauhan, Adv.  
Mr. Rishab Kaushik, Adv.

TC 108/12  
Mr. Preetesh Kapur, Adv.  
Ms. Hemantika Wahi, AOR  
Mr. Aakarshan Aditya, Adv.  
Ms. Shubhada Deshpande, Adv.

TC 98/12  
For State of AP Mr. G.N. Reddy, AOR  
Mr. R. Venkataramani, Sr. Adv.  
Mr. B. Debojit, Adv.  
Mr. Shasank Babu, Adv.  
Mr. Sodhan Babu, Adv.  
Ms. Neelam Singh, Adv.  
Ms. Supriya Garg, Adv.

TP 117-118/12, Mr. Amitesh Kumar, Adv.  
115-116/12, Mr. Ravi Kant, Adv.  
123-124/12 & Mr. C.S. Singh, Adv.  
113-114/12 Mr. Gopal Singh, AOR

WP 495/12  
Mr. Pradeep Kumar Dubey, AOR

TC 61/13 Mr. Uday U. Lalit, Sr. Adv. (NP)  
Mr. Sarthak Mehrotra, Adv.  
Mr. Navin Chawala, Adv.  
Ms. Bina Gupta, Adv.

TC 144/12 & TC 9/13 Mr. Amit Anand Tiwari, AOR

For DCI Mr. Tejveer Singh Bhatia, Adv.  
Ms. Prathibha M. Singh, Adv.  
Ms. Surbhi Mehta, Adv.  
Mr. Gaurav Sharma, AOR

M/s. Lawyers Knit & Co.  
M/s. Arputham Aruna & Co.

TC 8/13 Mr. S. Gurukrishna Kumar, Sr. Adv.  
Mr. Abdhesh Choudhary, Adv.  
Mr. Rajiv Ranjan Dwivedi, AOR

Dean, Goa Medical College Mr. Bhavanishankar V. Gadnis, Adv.  
Mrs. Sunita B. Rao, Adv.

TC (C) 101/12 Mr. KH. Nobin Singh, Adv.  
State of Manipur Mr. Sapam Biswajit Meitie, Adv.

TC 98/12 Dr. Manish Singh, AAG, Rajasthan  
Mr. Amit Lubhaya, Adv.  
Mr. Irshad Ahmad, Adv.

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

Hearing concluded.  
Judgment reserved.

|(Chetan Kumar)  
|Court Master

|(Juginder Kaur)  
|Assistant Registrar

Books referred in Court

1. Medical Council Act, 1956
2. Dentist Act, 1948
3. Constitution of India
4. University Grant Commission Act, 1956
5. 1965 (3) All E.R.650
6. 1954 SCR 1005
7. 1959 SCR 995

8. 1959 Supp.2 SCR 8
9. 1962 Supp.2 SCR 496
10. 1963 Supp.2 SCR 112, 439
11. 1964 (4) SCR 461, 991
12. 1964 (6) SCR 368
13. 1965 (1) SCR 601
14. 1966 (3) SCR 682
15. 1975 (1) SCR 173
16. 1985 (2) SCR 287
17. AIR 1956 SC 676
18. AIR 1961 SC 200
19. AIR 1980 SC 452
20. 1971 (1) SCC 607
21. 1974 (1) SCC 717
22. 1975 (1) SCC 11
23. 1979 (1) SCC 137
24. 1980 (1) SCC 634
25. 1980 (4) SCC 136
26. 1984 (3) SCC 654
27. 1985 (1) SCC 641
28. 1985 (2) SCC 604
29. 1989 (3) SCC 634
30. 1993 (1) SCC 645
31. 1995 (5) SCC 272

32. 1996 (8) SCC 705
33. 1997 (3) SCC 505
34. 1997 (4) SCC 607
35. 1998 (6) SCC 131
36. 1999 (7) SCC 120
37. 2000 (1) SCC 750
38. 2000 (3) SCC 40
39. 2000 (8) SCC 481
40. 2003 (3) SCC 321
41. 2003 (5) SCC 350
42. 2003 (6) SCC 697
43. 2003 (11) SCC 146
44. 2005 (2) SCC 65
45. 2005 (6) SCC 537
46. 2007 (4) SCC 785
47. 2009 (15) SCC 570
48. 2010 (1) SCC 11
49. 2011 (8) SCC 274
50. 2012 (1) SCC 642
51. 2012 (6) SCC 1
52. 2012 (1) SCC 770