

ITEM NO.6

COURT NO.2

SECTION IV-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 6552-6553/2022

(Arising out of impugned final judgment and order dated 15-03-2022 in WP No. 200365/2022 15-03-2022 in WP No. 200345/2022 passed by the High Court Of Karnataka At Kalaburagi)

THE STATE OF KARNATAKA REPRESENTED BY  
ITS SECRETARY & ORS.

Petitioner(s)

VERSUS

NAVODAYA MEDICAL COLLEGE &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. )

Date : 27-04-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE S. RAVINDRA BHAT  
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s) Mr. Nikhil Goel, AAG, Karnataka  
Mr. V. N. Raghupathy, AOR

For Respondent(s) Mr. Devadatt Kamat, Sr Adv.  
Mr. Pai Amit, Adv. on Record  
Mr. Suraj Naik, Adv.  
Mr. Rajesh Inamdar, Adv.  
Mr. Revanta Solanki, Adv.  
Ms. Pankhuri Bhardwaj, Adv.

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

Heard Mr. Nikhil Goel, learned AAG for the State and Mr. Devadatt Kamat, learned Senior Advocate for respondent No.1-Institution.

During the course of submissions, our attention was invited to the fact that Writ Petition No.20201 of 2014

{VENKATESHA EDUCATIONAL SOCIETY (REGD) VS. STATE OF KARNATAKA}} which is raising a substantial challenge, is still pending consideration before the High Court.

Taking totality of the circumstances into account, in our view, the issues raised in the said Writ Petition No.20201 of 2014 need to be determined at the earliest, in order to resolve the entire controversy in the instant matter.

We, therefore, exercise our jurisdiction under Section 139A of the Constitution of India suo motu and transfer Writ Petition No.20201 of 2014 pending in the High Court of Karnataka to this Court to be disposed of alongwith the instant Special Leave Petitions.

The Registry is directed to summon the record pertaining to said writ petition. On receipt of the record, let the record be digitized and copies thereof be served upon the learned counsel for the parties.

Issue notice to the original writ petitioner.

Notice shall also be served additionally through dasti mode. Liberty is also granted to serve the process upon the learned advocates who have entered appearance on behalf of the writ petitioners in Writ Petition No.20201 of 2014.

We have been apprised that in so far as the present academic year and the present respondent No.1-institution are concerned, the first round of admission was completed, on the

basis of impugned seat matrix furnished by the State, while second round of admission was effected in terms of the order passed by the High Court, which is presently under challenge.

Thereafter MOP up round was also conducted on 23.03.2022 as a result of which all the seats in the respondent No.1-Institution for under-graduate & Post-graduate courses for the current academic year have been filled up. We do not, therefore, pass any interim direction in relation to respondent No.1-Institution for the current academic year.

Subject to the aforesaid qualification, the effect and operation of the order presently under challenge shall remain stayed.

The transferred case as well as the instant SLPs be listed for disposal before an appropriate Court on 10.05.2022.

Learned counsel appearing for the parties agree that a common compilation shall be filed which shall include all the relevant documents as well as statutes and case law on which the parties may choose to rely.

(INDU MARWAH)  
COURT MASTER (SH)

(VIRENDER SINGH)  
BRANCH OFFICER