

ITEM NO.2

COURT NO.5

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
WRIT PETITION (CIVIL) NO(s). 737 OF 2013

LIPIKA GUPTA & ANR

Petitioner(s)

VERSUS

U.O.I & ORS

Respondent(s)

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

WITH W.P.(C) NO. 433/2013

(With appln(s) for intervention, stay, impleadment, directions,
permission to file additional documents and office report)

W.P.(C) 716/2013 (With office report)

Date: 19/05/2014 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE N.V. RAMANA
(VACATION BENCH)

For Petitioner(s) Mr. Vikas Mehta, Adv.

For Applicant (s) Mr. Puneet Jain, Adv.
Ms. Pratibha Jain, Adv.

For Respondent(s) Mr. Siddharth Luthra, ASG
For UOI Mr. R. Balasubramanian, Adv.
Mr. M. Khairati, Adv.
Ms. Meenakshi Grover, Adv.
Ms. Sushma Suri, Adv.
Mr. D.S. Mahra, Adv.

For MCI Mr. Gaurav Sharma, Adv.
Mr. Amandeep Kaur, Adv.
Mr. Prateek Bhatia, Adv.

Mr. Amit Kumar, Adv.

Ms. Hemantika Wahi, Adv.
Ms. Giss Antony, Adv.

For State of Assam Mr. Navnit Kumar, Adv.
For M/s. Corporate Law Group, Adv.

St. of Karnataka Mr. V.N. Raghupathy, Adv.

GGSSIP	Mr. Vaibhav Kalra, Adv. Mr. Apoorva Kurup, Adv.
State of Goa	Mr. Siddharth Bhatnagar, Adv. Mr. Pawan Kumar Bansal, Adv. Mr. T. Mahipal, Adv.
State of Haryana	Mr. Manjit Singh, AAG. Ms. Nupur Chaudhary, Adv. Mr. Kamal Mohan Gupta, Adv.
State of H.P.	Mr. Surya Narayana Singh, AAG. Ms. Pragati Neekhara, Adv.
State of Kerala	Mr. Ramesh Babu M.R., Adv.
State of M.P.	Mr. Mishra Saurabh, Adv. Mr. Kush Chaturvedi, Adv.
State of Maharashtra	Mr. Garvesh Kabra, Adv. Mr. Aniruddha P. Mayee, Adv. Ms. Kirti Renu Mishra, Adv.
State of Rajasthan	Mr. Ram Naresh Yadav, Adv. Ms. Ruchi Kohli, Adv.
For State of U.P.	Mr. Irshad Ahmed, AAG. Mr. Abhishth Kumar, Adv.
State of W.B.	Mr. Anip Sachthey, Adv. Mr. Saakar Sardana, Adv. Mr. V.G. Pragasam, Adv. Mr. B. Balaji, Adv. Mr. Nirnimesh Dube, Adv. Ms. N. Annapoorani, Adv. Mr. Sarad Kumar Singhanian, Adv. Ms. Asha G. Nair, Adv. Mr. Harsh Vardhan Surana, Adv. Mr. C.D. Singh, Adv. Ms. Sharmila Upadhyay, Adv.

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

This Court on 14.03.2014, after hearing the learned counsel for the parties, passed the following order:

'For the time being we fix the following schedule for the admissions to the Post Graduate Medical Courses for the academic session 2014-2015:-

SCHEDULE FOR ADMISSION	POST GRADUATE COURSES [BROAD SPECIALITY]	
	STATE QUOTA	All INDIA QUOTA
1 st round of counselling	To be over by 30 th March	Between 4 th April and 16 th April
Last date for joining the allotted college and course	7 th April	26 th April
2 nd round of counselling for allotment of seats from waiting list	27 th April to 3 rd May	9 th May to 13 th May
Last date for joining for candidates allotted seats in 2 nd round of counselling	10 th May	24 th May
3 rd round of counselling (Round for filling up seats reverted from AIQ/other vacant State Quota seats)	20 th June to 25 th June	25 th May to 9 th June
Last date for joining for candidates allotted seats in 3 rd round of counselling	30 th June	19 th June
Commencement of academic session	30 th June	30 th June
Last date up to which students can be admitted against vacancies arising due to any reason from the waiting list	10 th July	Not applicable

The Medical Council of India will notify the aforesaid schedule'.

The time schedule as is clear relates to post-graduate admission. When the matter was listed again on 11.4.2014, the following order came to be passed:

'We have already passed an order on 14th March, 2014 fixing up the schedule for counselling in Post Graduate Medical and Dental Courses for States as well as All India Medical Quota. If any of the authorities of the States or the Union of India do not comply with the schedule, they will suffer the risk of contempt as also the risk of this Court not altering the time schedule for any round of counselling'.

Thereafter, the matter was listed on 9.5.2014 and a joint prayer was made to list the matter before the Vacation Bench and accordingly it has been listed.

Mr. Siddharth Luthra, learned ASG appearing for the Union of India, submitted that this Court on 11.04.2014 had indicated for fixation of a time schedule for admission to MBBS and BDS courses. Mr. Luthra would further submit that earlier he had produced the written instructions but to bring in a clear picture he has filed a comprehensive affidavit. The said affidavit contains a time schedule as Annexure II for the academic year 2014-2015. The said time-schedule reads as follows:-

'Time schedule for completion of the admission process for first MBBS Course

(Proposal for making it applicable from Year 2014.. onwards)

Schedule for admission	Seats filled up by the State Govt./ Institutions	Seats filled up by the Central Government through all India Entrance Examination
Conduct of Examination	Month of May	Month of May
Declaration of Result of qualifying examination/entrance examination	By 5 th June	By 5 th June
1 st Round of counselling/admission	To be over by 25 th June	1 st July to 11 th July

Last date for joining the allotted college and course	By 03 rd July	By 21 st July
2 nd Round of counselling/admission	To be over by 27 th July	01 st to 4 th August
Last date for joining for the candidates allotted seats in 2 nd Round of counselling	By 2 nd August	16 th August
3 rd Round of counselling	06 th to 10 th September	17 th to 26 th August
Last date for joining for the candidates allotted seats in 3 rd round of counselling	By 17 th September	5 th September
Commencement of academic session	1 st September	1 st September
Last date up to which students can be admitted against vacancies arising due to any reason	30 th September	Not applicable

The above proposed schedule for admission may also be made applicable for BDS admission".

Having heard Mr. Luthra for the Union of India, Mr. Gaurav Sharma, learned Advocate for M.C.I. and Mr. Puneet Jain and others for respondents, we approve the said schedule and direct that all the authorities shall follow the said schedule for the academic year 2014-2015 without any deviation, and we make it clear that any deviation by any agency will tantamount to contempt of this Court.

We would be failing in our duty if we do not take note of the submission of Mr. Gaurav Sharma, learned counsel appearing for the MCI that Union of India should not delay or pray for extension of the period for grant of permission for enhancement of seats or in granting fresh permission to medical institutions as that may affect the admission process. Mr. Luthra, learned ASG has assured this Court that there would be no delay on that score on the part of the Union of India and that he would intimate the competent authorities in that regard.

As we have issued these directions, needless to say, all concerned with the admission process shall abide by the same and accordingly issue necessary modifications in their prospectus or otherwise, if warranted.

Mr. Gaurav Sharma, learned counsel for the MCI has undertaken that they would put the schedule, which has been reproduced hereinabove, on their website and also notify it as per the norms of the M.C.I. within three days.

The other interlocutory applications filed by the State of M.P. and others shall be dealt with on the next date of hearing.

Call on 30.06.2014.

(NAVEEN KUMAR)
COURT MASTER

(RENUKA SADANA)
COURT MASTER