

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.6813-6814 OF 2015
(Arising out of SLP(C)Nos.16258-16259 of 2015)

MEDICAL COUNCIL OF INDIA ... APPELLANT(S)

VS.

AKASH EDUCATION & DEVELOPMENT TRUST
& ORS. ... RESPONDENT(S)

WITH

Civil Appeal No.6815/2015 @ SLP(C)No.14173/2015

J U D G M E N T

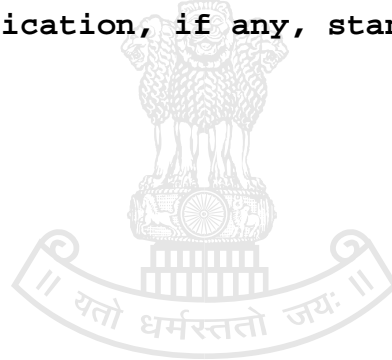
ANIL R. DAVE, J.

1. Leave granted.
2. We have heard the learned counsel appearing for the parties and considered the facts of the case.
3. Upon perusal of the impugned judgment delivered by the High Court, we find that the High Court has given direction to the appellant-Medical Council of India to carry out inspection of the respondent-institution within a particular time.
4. In our opinion, such a direction could not have been given in view of the fact that the inspection at a belated

stage is against the provisions of the Medical Council of India Establishment of Medical College Regulations, 1999. Moreover, in view of the law laid down by this Court in Priya Gupta Vs. State of Chhattisgarh & Ors. [(2012) 7 SCC 433] and Royal Medical Trust (Regd.) & Anr. Vs. Union of India & Anr. [(2015) 9 Scale 68] such a direction is not justifiable.

5. In the circumstances, we quash the direction and set aside the impugned judgment delivered by the High Court. The appeals stand disposed of as allowed with no order as to costs.

6. Pending application, if any, stands disposed of.



.....J.
[ANIL R. DAVE]

.....J.
[ADARSH KUMAR GOEL]

New Delhi;
2nd September, 2015.

JUDGMENT