

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL/APPELLATE JURISDICTION

I.A. Nos. 4 & 5

IN

WRIT PETITION (CIVIL) NO. 469 OF 2014

HIND CHARITABLE TRUST SHEKHAR HOSPITAL
PVT. LTD.

PETITIONER(s)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(s)

WITH

I.A. No. 3 in W.P.(C) No. 705/2014
I.A. No. 6 in SLP(C) No. 21765/2014
I.A. 2 in SLP(C) No. 22755/2014
I.A. 2 in SLP(C) No. 22756/2014
I.A. No.1-2 in SLP(C) No. 22758-22759/2014
I.A. No. 2 in SLP(C) No. 23777/2014
I.A. 2 in SLP(C) No. 25763/2014
I.A..... in SLP(C) No. 23476/2014
SLP(C) No. 24154/2014
SLP(C) No. 23561/2014
I.A. Nos. 3-4, 5-6 & 7-8 in SLP(C) No. 23528-23529/2014
I.A. Nos. 3,4,5 & 6 in W.P.(C) No. 799/2014
W.P.(C) No. 836/2014
W.P.(C) No. 523/2014
I.A. Nos. 2 & 3 in W.P.(C) No. 883/2013
I.A. No. 3 in SLP(C) No. 21517/2014
I.A. No. 3 in W.P.(C) No. 757/2014

O R D E R

After hearing the learned counsel for the parties
we deem it appropriate to issue following
clarifications with regard to our earlier order dated
18th September, 2014. These clarifications shall be
read into the said order as if they were always part
thereof : -

1. The order dated 18th September, 2014 shall also apply to cases where colleges or institutions were seeking increase in intake capacity and in the current year have been denied permission to admit students after first or second or third or forth renewal/inspection. In our view such institutions where Renewal/Inspection with respect to increase in capacity were conducted in the present academic year are also entitled to the benefit under the order dated 18th September, 2014.

2. We also clarify that fees chargeable from the students admitted pursuant to our order dated 18th September, 2014 shall be at the same rates as applicable to the students in Government medical colleges in respective States and such fees shall be at the same levels as that of the Government medical colleges till the students so admitted pass out from the private medical colleges or institutions.

3. Our order shall also apply to all similarly situated institutions irrespective of the fact whether any petitions were or are pending in this Court or in any of the High Courts or even if they had not approached any court at all. This order shall also apply even in cases where there were orders of stay in

favour of the Medical Council of India restraining the colleges from admitting students for the current academic session.

4. The order shall not apply to colleges or institutions which have been disqualified by the Medical Council of India and/or the Central Government and have been prohibited from making any admissions for the current academic year 2014-15.

5. In cases where two separate lists are prepared and sent by the State agencies one relating to State quota and the other relating to management quota in private institutions, we clarify that for the current academic year there shall be only one list and that shall be the "State quota" alone. There shall not be any management quota list to be sent to the private colleges or institutions taking the benefit under our order dated 18th September, 2014. The Management quota shall also be filled through the State list and the fees chargeable for the management quota shall also be charged at the same levels and rates as applicable to State quota list.

6. We further clarify that private institutions taking benefit under our order dated 18th September, 2014 shall

have to take students only from the State agencies and at fees chargeable for students in Government medical colleges as stated above, regardless of their status or claim as Minority Institutions or Deemed Universities.

W.P. (C) 836/2014

Learned counsel for the petitioner seeks permission to withdraw the petition. Permission is granted to withdraw the same.

The Writ Petition is, accordingly, dismissed as withdrawn.

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

.....J.
[VIKRAMAJIT SEN]

.....J.
[UDAY UMESH LALIT]

New Delhi;
September 25, 2014.

CORRECTED

ITEM NO.301

COURT NO.4

SECTION X

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

I.A. Nos. 4 & 5 in Writ Petition(s) (Civil) No(s). 469/2014

HIND CHARITABLE TRUST SHEKHAR HOSPITAL PVT. LTD. Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(for impleadment and office report)

WITH

I.A. No. 3 in W.P.(C) No. 705/2014

(for directions and Office Report)

I.A. No. 6 in SLP(C) No. 21765/2014

(for clarification/modification of court's order and Office report)

I.A. 2 in SLP(C) No. 22755/2014

(for clarification and Office Report)

I.A. 2 in SLP(C) No. 22756/2014

(for clarification and Office Report)

I.A. No. 1-2 in SLP(C) No. 22758-22759/2014

(for directions and Office Report)

I.A. No. 2 in SLP(C) No. 23777/2014

(for directions and Office Report)

I.A. 2 in SLP(C) No. 25763/2014

(for modification of court's order and Office Report)

I.A..... in SLP(C) No. 23476/2014

(for clarification and Office Report)

SLP(C) No. 24154/2014

(With Interim Relief and Office Report)

SLP(C) No. 23561/2014

(With Interim Relief and Office Report)

I.A. Nos. 3-4, 5-6 & 7-8 in SLP(C) No. 23528-23529/2014

(for modification of Court's order dated 18.09.2014 and impleadment and Office Report)

I.A. Nos. 3,4,5 & 6 in W.P.(C) No. 799/2014

(for modification of court's order dated 18.09.2014 and impleadment and Office Report)

W.P.(C) No. 836/2014

(With Office Report)

W.P.(C) No. 523/2014

(for permission to place addl. documents on record and directions)

I.A. Nos. 2 & 3 in W.P.(C) No. 883/2013

(for impleadment as party respondent and directions and Office Report)

I.A. No. 3 in SLP(C) No. 21517/2014
 (for vacating stay and Office Report)
 I.A. No. 3 in W.P.(C) No. 757/2014
 (for directions and Office Report)

Date : 25/09/2014 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ANIL R. DAVE
 HON'BLE MR. JUSTICE VIKRAMAJIT SEN
 HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. S. Udaya Kumar Sagar, Sr. Adv.
 WP(C) 469, 705/2014 Ms. Bina Madhavan, Adv.
 & WP(C) 799/2014 Ms. Praseena Elizabeth Joseph, Adv.
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 Mr. Ravindra Keshavarao, Adv.
 For M/s. Lawyer's Knit & Co, Adv.

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 Mr. D.K. Chidananda, Adv.
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 Mr. Rakesh K. Sharma, Adv.

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 Mr. K.P. Gautam, Adv.

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SLP (C) 22757

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Mr. Avijit Mani Tripathi, Adv.
Mr. Atul Kumar, Adv.

Mr. R. D. Upadhyay, Adv.
Mr. Giridhar G. Upadhyay, Adv.
Mr. Awadesh Kumar Singh, Adv.
Ms. Asha Upadhyay, Adv.

SLP (C) 22758-59

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Mr. Sanjay Bhatt, Adv.
Mr. Rudra Prasad, Adv.
Mr. Dushyant Kumar, Adv.
Mr. Amit Kumar, Adv.
Mr. Rabin Majumder, Adv.

SLP (C) 23777

Mr. Ashish Kumar, Adv.
Mr. Ravinder Kumar Katna, Adv.
Mr. Neeraj Shekhar, Adv.

WP (C) 757

Mr. Prasanth P., Adv.

SLP (C) 23476

Mr. Amit Kumar, Adv.
Mr. Ankit Rajgarhia, Adv.
Ms. Avijit Mani Tripathi, Adv.

SLP (C) 24154

Mr. Amit Jaiswal, Adv.
Mr. Ankit Rajgarhia, Adv.
Ms. Avijit Mani Tripathi, Adv.

SLP (C) 22757

Mr. Amit Kumar, Adv.

IA 2 in SLP (C) 25763/2014

Mr. K.V. Vishwanathan, Sr. Adv.
Mr. Neeraj Shekhar, Adv.
Mr. Ashutosh Thakur, Adv.
Mr. Rana Prashant, Adv.

For Respondent(s)
MCI

Mr. Vikas Singh, Sr. Adv.
Mr. P.S. Patwalia, Sr. Adv.
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 Mr. Vijay Kumar Paradesi, Adv.
 Mr. Ramesh Babu M.R., Adv.

Mr. Nidhesh Gupta, Sr. Adv.
 Mr. Kunal Verma, Adv.

Mr. Sudhanshu S. Chaudhari, Adv.

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

Looking at the urgency of the matter, this group of petitions may be listed on 14.10.2014 at 02.00 PM as part heard.

Signed reportable order is placed on the file.

WP (C) 836/2014

The Writ Petition is dismissed as withdrawn in terms of the signed order.

(Sneh Bala Mehra)
 Asstt. Registrar

(Anil Kumar)
 AR-cum-PS

(Signed reportable order is placed on the file)