

**COURT MATTER / FOR IMMEDIATE ATTENTION**

**File No. C-18018/36/2015-MEC**

**भारत सरकार (Government of India)**

**स्वास्थ्य एवं परिवार कल्याण मंत्रालय ( Ministry of Health & Family Welfare)**

**स्वास्थ्य सेवा महानिदेशालय (Directorate General of Health Services)**

**चिकित्सा परीक्षा प्रकोष्ठ (Medical Examination Cell)**

Nirman Bhawan, New Delhi.

Dated 29<sup>th</sup> September, 2015

To,


1. Director Medical Education of participating States
2. Dean / Director / Principal – Participating Medical/Dental Colleges

Sub:- **W.P. (C) No. 629 of 2015 – Kritika Nigam (Minor) through legal guardian Vs Union of India & ANR.**

Sir/Madam,

I am directed to refer the above mentioned subject and attach copy of order dated 28/09/2015 (received on 29/09/2015 at 05:30 PM) in above mentioned case passed by the Hon'ble Supreme Court for your information with request to comply with directions of the Hon'ble Supreme Court. You may recall that the vacant seats due to non-joining / resignation, of the 15% All India Quota (MBBS/BDS) were surrender / reverted to respective State/Universities on 17/09/2015.

Yours faithfully,

  
(Prof. (Dr.) B. Srinivas)

Assistant Director General (ME)

Tel. No. 23062493, FAX-23061907

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Copy for information to:

1. Principal Secretary / Secretary Medical Education of participating States.
2. Registrar Delhi University / GGSIP University, Delhi.

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

WRIT PETITION(S) (CIVIL) NO(S). 629/2015

KRITIKA NIGAM (MINOR) THROUGH LEGAL GUARDIAN PETITIONER(S)

VERSUS

UNION OF INDIA & ANOTHER RESPONDENT(S)

WITH

W.P.(C) No. 659/2015, W.P.(C) No. 670/2015 & WP(C) No. 688/2015

O R D E R

In all these petitions we have heard the learned counsel appearing for the parties at length.

Three issues are raised by the learned counsel for the petitioners which are:

- 1) All India Quota Seats for admission to MBBS/BDS courses are 15% while admitting the students the said quota should not be reduced.
2. The information bulletin for All India Pre-Medical/Pre-Dental Entrance Test, 2015 prescribes the procedure for admission of the students in the aforesaid courses which inter alia lays down that admission has to be strictly in accordance with merit based on the score obtained in the examination. Our attention is drawn to para 15 in this behalf.
3. It is also pointed out that the manner and procedure which is

to be followed for making these admissions is stipulated in para 19 of the judgment of this Court in Mridul Dhar (Minor) & Anr. vs. Unio of India & Ors. [(2005) 2 SCC 65].

It is submitted on behalf of the learned counsel appearing on behalf of the Medical Council of India as well as Medical Counseling Committee, on the other hand, that the last date for admission is 30<sup>th</sup> September, 2015 and further that many students have already undergone the counseling which is maximum in number. Subject to the aforesaid, learned counsel for the respondents also have no objection in accepting the aforesaid three submissions of the petitioner(s)

Thus, making it clear that the last date for admission shall remain 30<sup>th</sup> September, 2015, we dispose of these petitions with the following directions:

1. All India Quota shall remain 15%.
2. The admissions shall be strictly in accordance with merit as stipulated in para 15 of the Information Bulletin/Rules.
3. While making the admissions the directions contained in para 19 of Mridul Dhar (Minor) & Anr. vs. Unio of India & Ors. [(2005) 2 SCC 65] shall be borne in mind.

The Medical Counseling Committee shall ensure the compliance of the aforesaid directions.

The Writ Petitions are disposed of in view of the terms stated above.

.....J.  
[A.K. SIKRI]

.....J.  
[ROHINTON FALI NARIMAN]

NEW DELHI;  
SEPTEMBER 28, 2015

OUT TODAY

ITEM NO.55+64

COURT NO.13

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

Writ Petition(s) (Civil) No(s). 629/2015

KRITIKA NIGAM (MINOR) THROUGH LEGAL GUARDIAN

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ANOTHER

Respondent(s)

(with appln. (s) for directions and office report)

WITH

W.P.(C) No. 659/2015

(With appln.(s) for stay and Office Report)

W.P.(C) No. 670/2015

(With Office Report)

WP(C) No. 688/2015

(With Appln. For Directions and Office Report)

Date : 28/09/2015 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Prashant Kumar, Adv.  
Mr. Saurabh S. Sinha, Adv.  
Mr. Joseph Pookkatt, Adv.  
For AP & J Chambers

Mr. Devendra Singh, Adv.  
Mr. Anant K. Vatsya, Adv.  
Mr. Shahid Ali Rao, Adv.

Mr. Jaideep Gupta, Sr. Adv.  
Mr. Rana Mukherjee, Sr. Adv.  
Ms. Pushp Gupta, Adv.  
Mr. Nishant Bishnoi, Adv.  
Mr. Vaibhav Chaudhary, Adv.  
Mr. Saurabh Ajay Gupta, Adv.

Mr. P.V. Dinesh, Adv.

For Respondent(s) Ms. Pinky Anand, ASG  
Ms. V. Mohna, Sr. Adv.  
Mr. Atulesh Kumar, Adv.  
Mr. S.S. Rawat, Adv.  
Mr. D.S. Mahra, Adv.

Mr. C.D. Singh, AAG  
Mr. Sakshi Kakkar, Adv.

Mr. Gaurav Sharma, Adv.  
Mr. Prateek Bhatia, Adv.  
Mr. Dhawan Mohan, Adv.

Mr. Tara Chandra Sharma, Adv.  
Ms. Neelam Sharma, Adv.  
Mr. Rajeev Sharma, Adv.

Mr. Parijat Sinha, Adv.  
Ms. Reshmi Rea Sinha, Adv.  
Mr. S.C. Ghosh, Adv.  
Mr. Gaurav Ghosh, Adv.  
Mr. Somnath Banerjee, Adv.

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

The Writ Petitions are disposed of in terms of the signed order.

Interlocutory Application(s), if any, pending are disposed of accordingly.

(Ashwani Thakur)  
COURT MASTER

(Renu Diwan)  
COURT MASTER

(Signed order is placed on the file)