

Notice

Order of the Hon'ble Supreme Court of India regarding Round 4 of All India Quota India PG Counseling 2013

The order of the Hon'ble Supreme Court of India dated 01.08.2013 in Writ Petition (Civil) 433 of 2013 regarding conduct of the Round 4 of All India Quota PG Counseling 2013 may be please be seen as:

1. Visit <http://www.sci.nic.in>.
2. Click 'Case Status'.
3. Click 'Case Number'.
4. Select *Writ Petition (Civil)* from the list 'Case Type', type 433 in 'Case No', and 'Year' as 2013.
5. Click 'Submit'.
6. Click 'Case History & Order(s)'.
7. 'Select Order Date' as 1/8/2013 and click 'Submit'.

Copy enclosed.

Posted on 03.08.2013

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO(s). 433 OF 2013

DR FRAZ NASEEM & ORS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS

Respondent(s)

ORDER

We have heard learned counsel for the parties and in modification of the order dated 23rd March, 2012 passed by this Court in I.A.No. 16 in C.A. No. 1944 of 1993 titled Anand S. Biji Vs. State of Kerala & Ors., we direct that a 4th round of online allotment process will be conducted for the seats in medical postgraduate courses remaining vacant in the all India quota and the same will be completed by 21st August, 2013. In this 4th round of online counseling, the candidates who had given willingness for participation in the 3rd round of counseling for the purpose of upgradation will also be permitted to participate as they were not aware that there will be a 4th round of online counseling. Rest of the directions including the direction in condition No. 11 in the aforesaid

order dated 23rd March, 2012 will remain in force and we clarify that after the 4th round of counseling, the seats remaining vacant shall be deemed to have been surrendered back to the respective States as per condition No. 12 of the order dated 23rd March, 2012.

2. This order has been necessitated by the fact that the counseling process by the State Governments all over the country has been delayed and has been passed with regard to all India quota available in the different colleges of the State Governments in the country and will not apply to private colleges. If necessary, the respective colleges will ensure that the required number of classes as prescribed by the M.C.I. are undertaken by the students who are now going to be admitted pursuant to the 4th round of counseling. We also make it clear that this order has been passed in the peculiar facts and circumstances of this year and will not be treated as a precedent.

3. In this writ petition, we would like to hear all the States as to why the direction in the aforesaid order dated 23rd March, 2012 that the seats remaining vacant shall be surrendered to the respective States should not be modified considering the fact that almost every year, the counseling process has been delayed by the States. For this purpose, we fix the matter for hearing on Tuesday, the

10th September, 2013. The respective State Governments may file their affidavits and additional documents, if any by the said date.

.....J.
(A.K. PATNAIK)

.....J.
(JAGDISH SINGH KHEHAR)

NEW DELHI,
AUGUST 01, 2013

ITEM NO.3

COURT NO.6

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 (CIVIL) NO(s). 433 OF 2013

DR FRAZ NASEEM & ORS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS

Respondent(s)

(With appln(s) for stay and office report)

Date: 01/08/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK
HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s)

Ms. Indu Malhotra, Sr. Adv.
Mr. Vikram Mehta, Adv.
Mr. Kush Chaturvedi, Adv.
Ms. Nishtha Kumar, Adv.
Mr. Anshuman Srivastava, Adv.
Mr. Vivek Jain, Adv.
Mr. Vikas Mehta, Adv.

For Intervenors

Mr. P.S. Patwalia, Sr. Adv.
Mr. Siddhesh Kotwal, Adv.
Ms. Bunsuri Swaraj, Adv.
Mr. Nirnimesh Dube, Adv.

For Respondent(s)

For UOI

Mr. Siddharth Luthra, ASG.
Ms. Supriya Juneja, Adv.
Mr. Anandana Handa, Adv.
Ms. Sushma Suri, Adv.
Mr. Gurmohan Singh Bedi, Adv.

For MCI

Mr. Amit Kumar, Adv.
Mr. Atul Kumar, Adv.
Mr. Ankit Rajgharia, Adv.

For State of Gujarat

Ms. Hemantika Wahi, Adv.
Ms. Shubhada Deshpande, Adv.

For State of Odisha Ms. Kirti Renu Mishra, Adv.

State of M.P. Ms. Vibha Datta Makhija, Adv.
 Ms. Archi Agnihotri, Adv.

State of Maharashtra Mr. Sanjay Kharde, Adv.
 Ms. Asha G. Nair, Adv.

For State of Punjab Mr. Jagjit Singh Chhabra, Adv.

State of Chhattisgarh Mr. Anirudha P. Mayee, Adv.
 Mr. Charudatta Mahindra, Adv.

For State of H.P. Mr. Suryanarayana Singh, AAG
 Ms. Pragati Neekhra, Adv.

State of Rajasthan Mr. Ram Naresh Yadav, Adv.
 Mr. V. Sushant, Adv.
 Ms. Pragati Neekhra, Adv.

State of Assam Mr. Navnit Kumar, Adv. for
 M/S Corporate Law Group, Adv.

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

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upgradation will also be permitted to participate as they were not aware that there will be a 4th round of online counseling. Rest of the directions including the direction in condition No. 11 in the aforesaid order dated 23rd March, 2012 will remain in force and we clarify that after the 4th round of counseling, the seats remaining vacant shall be deemed to have been surrendered back to the respective States as per condition No. 12 of the order dated 23rd March, 2012.

This order has been necessitated by the fact that the counseling process by the State Governments all over the country has been delayed and has been passed with regard to all India quota available in the different colleges of the State Governments in the country and will not apply to private colleges. If necessary, the respective colleges will ensure that the required number of classes as prescribed by the M.C.I. are undertaken by the students who are now going to be admitted pursuant to the 4th round of counseling. We also make it clear that this order has been passed in the peculiar facts and circumstances of this year and will not be treated as a precedent.

In this writ petition, we would like to hear all the States as to why the direction in the aforesaid order dated 23rd March, 2012 that the seats remaining vacant shall be surrendered to the respective States

should not be modified considering the fact that almost every year, the counseling process has been delayed by the States. For this purpose, we fix the matter for hearing on Tuesday, the 10th September, 2013. The respective State Governments may file their affidavits and additional documents, if any by the said date.

(G. SUDHAKARA RAO)
COURT MASTER

(SHARDA KAPOOR)
COURT MASTER

(SIGNED ORDER IS PLACED ON THE FILE)