

ITEM NO.13

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

Writ Petition(s)(Civil) No(s).556/2018

U.P. UNAIDED MEDICAL COLLEGES WELFARE
ASSOCIATION (REGD)

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 25-05-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MS. JUSTICE INDU MALHOTRA

(VACATION BENCH)

For Petitioner(s) Mr. Abdhesh Chaudhary, Adv.
Mr. Amit Jaiswal, Adv.
Ms. Manisha Suri, Adv.
Mr. Rajiv Ranjan Dwivedi, AOR

For Respondent(s) Ms. Pinky Anand, ASG
Mr. Balendu Shekhar, Adv.
Mr. Sachin Sharma, Adv.
Mr. Hemant Arya, Adv.
Mr. Arvind K. Sharma, Adv.

Mr. Gaurav Sharma, AOR
Mr. Prateek Bhatia, Adv.
Mr. Dhawal Mohan, Adv.

Mr. Ankur Prakash, Adv.
Mr. Ashutosh Kumar Sharma, Adv.
Mr. Merusagar Samantray, Adv.
Mr. Lhingneivah, Adv.

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

We have heard Mr. Abdhesh Chaudhary, learned counsel
for the petitioner, Mr. Ankur Prakash, learned counsel

for the State of Uttar Pradesh and Mr. Gaurav Sharma, learned counsel for the Medical Council of India.

During the course of argument, learned counsel for the Medical Council of India suggested that in view of the peculiar situation of almost 41.95% of post-graduate medical seats in the private unaided medical colleges in the State of Uttar Pradesh have remained vacant for the academic year 2018-2019 and as the cut-off date is already over on 18th May, 2018, in the larger public interest, Dr. K.K. Gupta, Director General of Medical Education (Respondent No.4) must take the responsibility of allotting students from the All-India NEET Merit List in order of merit to the respective colleges by 31st May, 2018.

We find this suggestion to be most appropriate and also assuage the grievance of the private medical colleges and open up new opportunity to the aspiring candidates in the merit list who otherwise could not secure admission in other medical colleges.

We accept the aforementioned suggestion and direct the Respondent No.4 to take immediate steps in this behalf, in right earnest, while ensuring that the cut-off date of 31st May, 2018 is adhered to in its letter and spirit. Be it noted, no request for extension of time for any reason whatsoever will be entertained hereafter.

We make it clear that in the guise of recommending names of candidates to private colleges, the candidate who has already secured admission elsewhere cannot be permitted to resign from the concerned college to avail of the opportunity under the stated dispensation.

We appreciate the suggestion given by Ms. Pinky Anand, learned Additional Solicitor General that similar dispensation can be followed in other States, if they so desire while ensuring that the cut-off date of 31st May, 2018 is strictly adhered to.

We agree with this suggestion.

Learned Additional Solicitor General as well as Mr. Gaurav Sharma assure the Court that this decision will be forthwith published on the official websites of the Medical Council of India, Medical Counselling Committee and the Ministry of Health and Family Welfare, Government of India.

The petition stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER