

ITEM NO.40

Court 7 (Video Conferencing)

SECTION XVII

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

Petition(s) for Special Leave to Appeal (C) No(s). 13609/2020

(Arising out of impugned final judgment and order dated 12-11-2020 in WPC No. 3588/2020 passed by the High Court Of Jharkhand At Ranchi)

MANIPAL-TATA MEDICAL COLLEGE & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.117404/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 20-11-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE AJAY RASTOGI

For Parties:

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Amit Kumar, Sr. Adv.
Mr. Nikhil Nayyar, Sr. Adv.
Mr. Sameer Rohatgi, Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Shubham Kulshreshtha, Adv.
Mr. Rohan Talwar, Adv.
Mr. E. C. Agrawala, AOR

Mr. Sanjay Jain, ASG
Mr. Gurmeet Singh Makker, AOR
Ms. Shradha Deshmukh, Adv.
Ms. Vishakha, Adv.

DR. ABHISHEK MANU SINGHVI, SR. ADV.
MS. NANDINI GORE, ADV.
MR. AMIT BHANDARI, ADV.
MS. NEHA KHANDELWAL, ADV.
MR. RAGHVENDRA PRATAP SINGH , ADV.
M/S. Karanjawala & Co., AOR

Mr. Apoorv Kurup, Adv.
Mr. A.C. Boxipatro, Adv.

Ms. Nidhi Mittal, Adv.

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

The petitioners filed a writ petition in the High Court of Jharkhand at Ranchi for quashing the notice dated 06.11.2020 issued by the Office of the ADG (ME), Government of India, Directorate General of Health Services, Medical Counselling Committee, New Delhi by which the petitioner was removed from the Seat Matrix for the first round of counselling of undergraduate seats being held in pursuance to the NEET-2020 examination. The High Court issued notice in the writ petition but refused to pass an interim order as prayed for by the petitioners. The petitioners approached this Court by filing the instant special leave petition with a grievance that an interim order ought to have been passed by the High Court.

Mr. Mukul Rohatgi, learned senior counsel submitted that the petitioner is governed by the UGC(Institutions of Eminence Deemed to be Universities) Regulations, 2017 and have been recognised as institutions of eminence. Mr. Rohatgi, further submitted that the admission sought by the petitioner is at the off-campus centre at Bairdih, Jamshedpur. The argument of the learned senior counsel for the petitioner is that the other deemed universities governed by the UGC (Institutions Deemed to be Universities) Regulations, 2019 are permitted to have off-campus centres and there is no reason why an institution of eminence should not be permitted to have an off-campus center.

Mr. Sanjay Jain, learned ASG submitted that the Government of India has to seek a proposal from the UGC for permitting the Institutions of Eminence Deemed to be Universities to have off-campus centers and the proposal is under consideration. The submission of the learned ASG is that as on date the institutions of eminence are not permitted to have off-campus centers and so the action of the ADG(ME), Government of India, Directorate General of Health Services, Medical Counselling Committee, New Delhi excluding the petitioners from the Seat Matrix for the first round of counselling of undergraduate seats is proper.

After hearing the learned counsel for the parties, without expressing any opinion on the merits of the writ petition that is pending before the High Court, we are of the opinion that the petitioner should be included in the Seat Matrix for the second round of counselling of undergraduate seats which is going on at present and students may be allotted to the petitioner.

The above direction is subject to the final decision in the writ petition.

The petitioner shall inform the students at the time of counselling who are admitted in its institution that their admission would be subject to the decision in the writ petition.

The Special Leave Petition stands disposed of.

Pending application(s), if any, stands disposed of accordingly.

(ASHWANI KUMAR)
AR - CUM -PS

(ANAND PRAKASH)
BRANCH OFFICER