

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE/ORIGINAL JURISDICTION**

CIVIL APPEAL NO(S). 670/2007

MEDICAL COUNCIL OF INDIA

APPELLANT(S)

VERSUS

ST. JOHNS MEDICAL COLLEGE AND ORS ETC.

RESPONDENT(S)

WITH

W.P. (C) No. 584/2009

W.P. (C) No. 245/2010

W.P. (C) No. 161/2012

C.A.No. 5657/2014

O R D E R

1. In view of the change in Regulations and the Judgment rendered by this Court in Modern Dental College and Research Centre & Ors. Vs. State of M.P. & Ors., reported in (2016) 7 SCC 353, these matters do not survive as the law has been laid down that has been followed.

2. It is made clear that for future admission the decision rendered by this Court in Modern Dental College and Research Centre & Ors. Vs. State of M.P. & Ors., reported in (2016) 7 SCC 353 has to be followed.

3. However, we direct the college not to act in the manner it has acted earlier. We deprecate the admissions which were made. However, as students have passed out under the interim order, we are not inclined to interfere in admission so made.

4. The appeals and the writ petitions are disposed of accordingly.

5. Pending application(s), if any, shall stand disposed of.

.....J.
[ARUN MISHRA]

.....J.
[NAVIN SINHA]

NEW DELHI;
FEBRUARY 21, 2019.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(S). 670/2007

MEDICAL COUNCIL OF INDIA

APPELLANT(S)

VERSUS

ST. JOHNS MEDICAL COLLEGE AND ORS ETC.

RESPONDENT(S)

WITH SLP(C) No. 9506/2015 (XV)

W.P.(C) No. 161/2012 (X)

SLP(C) No. 8769-8770/2015 (XV)

SLP(C) No. 9346/2015 (XV)

SLP(C) No. 9457/2015 (XV)

SLP(C) No. 12711/2015 (XV)

W.P.(C) No. 245/2010 (X)

C.A. No. 5657/2014 (X)

SLP(C) No. 32423/2015 (XV)

SLP(C) No. 32422/2015 (XV)

SLP(C) No. 32421/2015 (XV)

W.P.(C) No. 584/2009 (X)

Date : 21-02-2019 Thees matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE NAVIN SINHA

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Mr. Dinesh Kumar Garg, AOR

Mr. Sandeep Singh, Adv.
Mr. Rajesh Singh, AOR

Mr. P.K. Jain, AOR

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

C.A.NO. 670/2007 (MEDICAL COUNCIL OF INDIA

v. ST. JOHNS MEDICAL COLLEGE AND ORS ETC.

WITH

W.P.(C) No. 161/2012, W.P.(C) No. 245/2010 C.A. No. 5657/2014,
W.P.(C) No. 584/2009

These appeals and writ petitions are disposed of in terms
of the signed order.

SLP(C) Nos.8769-8770/2015 (MAHATMA GANDHI UNIVERSITY OF MEDICAL SCIENCES AND TECHNOLOGY AND ORS. V. STATE OF RAJASTHAN AND ORS. WITH SLP(C) No. 9506/2015, SLP(C) No.9346/2015, SLP(C) No. 9457/2015, SLP(C) No. 12711/2015, SLP(C) No. 32423/2015, SLP(C) No. 32422/2015 & SLP(C) No. 32421/2015

I.A. Nos.4 (Application seeking deletion of the name of respondent Nos.14 to 22) in SLP(C) No.9457/2015 and I.A. Nos.4 (Application seeking deletion of the name of respondent Nos.14 to 19) in SLP(C) No.9506/2015 are allowed, at the risk of the petitioners.

We agree with the High Court and are not inclined to interfere with the impugned judgments and orders passed by the High Court. At the same time, in the peculiar facts and circumstances of the case, as the students had been admitted and obtained admission in the Post Graduation Courses. This Court permitted the results to be declared but the same was subject to the final decision of these petitions.

Since the result has been declared in 2015 and by now they are serving as Doctors and have settled in their life and education is such a matter which cannot be taken away and it would not be appropriate to take away the post graduation qualification acquired by them as that is for the service of the society.

In the peculiar facts and circumstances of these cases, we are not disturbing their education and the result that has been declared otherwise the facts of the case are so bad that they were not entitled for any relief but for the interim order passed by this Court.

However, in SLP(C) Nos.8769-8770/2015, we impose costs of Rs.75,00,000/- (Rupees Seventy Five Lacs) on Mahatma Gandhi Medical College and Hospital, Jaipur, Rajasthan, to be paid within one month in three equal shares of Rs.25 Lacs each to Supreme Court Bar Association, Supreme Court Advocates-on-Record Welfare Trust and Supreme Court Employees' Mutual Welfare Fund. Let compliance of order be reported to this

Court within one month.

The special leave petitions are, accordingly, disposed of.

As no action is required in the contempt petition i.e. S.B. Civil Contempt Petition No.1060/2014, pending before the High Court of Judicature at Rajasthan, the same is taken on Board and is, accordingly, disposed of.

Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)
COURT MASTER

(JAYANT KUMAR ARORA)
COURT MASTER

(JAGDISH CHANDER)
COURT MASTER

(Signed order, as above, is placed on the file)