

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF DECEMBER 2021

PRESENT

THE HON'BLE MR. JUSTICE ALOK ARADHE

AND

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

W.P. NO.11076 OF 2017 (EDN-MED-ADM)

BETWEEN:

DR. (MS) RACHANA KISHORE UBRANGALA
D/O DR. KISHORE KUMAR UBRANGALA
AGED ABOUT 23 YEARS
RESIDING AT THRIPTI
15-13-693/4, SHIVABHAGH, KADRI
MANGALURU 575002.

... PETITIONER

(BY MR. SHRIDHAR PRABHU, ADV., (ABSENT))

AND:

1. ST. JOHN'S NATIONAL ACADEMY
OF HELATH SCIENCES
ST. JOHN'S MEDICAL COLLEGE
ADMISSIONS OFFICE
SARJAPUR ROAD, BENGALURU 560034
REPRESENTED BY ITS REGISTRAR.
2. MEDICAL COUNCIL OF INDIA
POCKET-14, SECTOR-8
DWARKA PHASE 1
NEW DELHI 110077
EMAIL:MCI@BOL.NET.IN
REPRESENTED BY ITS REGISTRAR.
3. KARNATAKA EXAMINATION AUTHORITY
SAMPIGE ROAD, 18TH CROSS

MALLESHWARAM
BENGALURU 560012
REPRESENTED BY ITS EXECUTIVE DIRECTOR.

4. STATE OF KARNATAKA
HEALTH AND FAMILY WELFARE DEPARTMENT
(MEDICAL EDUCATION)
M S BUILDING, BENGALURU 560001
(REPRESENTED BY THE PRINCIPAL SECRETARY
TO THE GOVERNMENT).
5. THE UNION OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPT OF HEALTH AND FAMILY WELFARE
A WING , NIRMAN BHAVAN
NEW DELHI 110001
(REPRESENTED BY ITS SECRETARY).
6. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES
167, 32ND E CROSS RD, 4TH T BLOCK EAST
PATTABHIRAMA NAGAR, JAYANAGAR
BENGALURU 560041
(BY ITS REGISTRAR).
7. THE DIRECTOR
ST. JOHN'S NATIONAL ACADEMY
OF HEALTH SCIENCES
ST. JOHN'S MEDICAL COLLEGE
BENGALURU-560034.

... RESPONDENTS

(BY MR. BHARATH, ADV., FOR
MR. NISCHAL DEV, ADV., FOR R1 & R7
MR. N. KHETTY, ADV., FOR R2
MR. N.K. RAMESH, ADV., FOR R3 & R6
MR. LAXMI NARAYAN, AGA FOR R4
MR. KUMAR M.N., CGC FOR R5)

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THIS WRIT PETITION IS FILED UNDER ARTICLE 226 & 227
OF THE CONSITUTION OF INDIA, PRAYING TO QUASH ENTIRE
PROCESS OF ADMISSION FOR POSTGRADUATE PROGRAMME FOR
THE ACADEMIC YEARS 2017-18 CONDUCTED BY THE R-1 AS

ARBITRARY, ILLEGAL, ULTRA VIRES THE PROVISIONS OF THE INDIAN MEDICAL COUNCIL ACT, 1956 AND THE LAW DECLARED BY THE HON'BLE SUPREME COURT OF INDIA AS DETAILED IN THE POSTGRADUATE PROSPECTUS 2017-18 OF ST.JOHN MEDICAL COLLEGE, BANGALORE 560 034 AND CONSEQUENTLY QUASH THE POST GRADUATE INTERVIEW LIST PUBLISHED BY THE R-1 VIDE ITS COMMUNICATION DTD.10.2.2017 VIDE ANNEX-A & ETC.

THIS WRIT PETITION COMING ON FOR FINAL HEARING, THIS DAY, **ALOK ARADHE J.**, MADE THE FOLLOWING:

ORDER

None for the petitioner even when the matter is called in the second round.

Mr.N.K.Ramesh, learned counsel for respondent No.3 and 6.

Mr.Laxminarayan, learned counsel for respondent No.4.

In this writ petition, the petitioner has sought for the following reliefs:

- a) *Issue appropriate writ order or direction to quash entire process of admission for postgraduate programme for the academic years 2017-18 conducted by the 1st Respondent as arbitrary, illegal, ultra vires the provisions of the Indian Medical Council Act, 1956 and the law declared by the Hon'ble*

Supreme Court of India as detailed in the Postgraduate Prospectus 2017-18 of St. John Medical College, Bangalore 560034 and consequently quash the Post Graduate Interview List published by the 1st Respondent vide its Communication Dated 10th February, 2017 produced above as Annexure-A.

b) Issue appropriate writ, order or direction to quash entire process of selective counselling being conducted by the 3rd Respondent by excluding 1st Respondent institution and leaving out non-government quota seats in private medical institutions in the State of Karnataka and consequently quash e-Brochure Karnataka State PG ET - 2017 published by the 3rd Respondent that its official website is produced above as Annexure-B.

c) Grant cost of the Writ Petition and.

d) Pass any other appropriate writ, order or direction as the Hon'ble Court deems fit to

grant under the circumstances of the case, in the interest of justice.

On perusal of the reliefs claimed in this petition, it appears the grievance of the petitioner pertains to admission for post graduate programme for the academic year 2017-18. In this writ petition on 21.03.2017, an interim order was passed directing to keep one seat vacant. The course in which the admission was sought by the petitioner is over. Therefore, at this point of time no effective relief can be granted to the petitioner as the writ petition has become infructuous by efflux of time.

Accordingly, the petition is dismissed.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

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