

ITEM NO.6

COURT NO.10

SECTION X

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

Writ Petition(s)(Civil) No(s). 231/2018

MEDICAL COUNCIL OF INDIA

Petitioner(s)

VERSUS

THE STATE OF KERALA & ORS.

Respondent(s)

(FOR ADMISSION)

Date : 05-04-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For the parties:

MCI

Mr. Vikas singh, Sr. adv.
Mr. Gaurav Sharma, AOR
Mr. Dhawal Mohan, Adv.
Mr. Amandeep Kaur, Adv.
Mr. Prateek Bhatia, Adv.
Mr. Deepeeka Kalia, Adv.
Mr. Abhishek, Adv.

Mr. R.R. Kumar, Adv.
Mr. Swetank S., Adv.

For State of Kerala

Mr. G. Prakash, Adv.
Mr. Jishnu M.L., Adv.
Mrs. Priyanka Prakash, Adv.
Mrs. Beena Prakash, Adv.
Mr. Vijay Shankar V.L., Adv.

For caveator

Mr. Velamanchili Shiva Santosh Kumar, Adv.
Mr. Tarun Gupta, Adv.

Mr. C.A. Sundaram, Sr. Adv.
Ms. Pallavi Pratap, Adv.

RR:21.1,26-28

Mr. Sameer Shrivastava, Adv.
Ms. Vijeta Ohri, Adv.

Mr. C.U. Singh, Sr. Adv.
Ms. Anne Mathew, Adv.

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

Heard learned counsel for the parties. In our Prima facie view , the Ordinance in question blatantly seeks to nullify the binding effect of the order passed by this court. Prima facie it was not open to declare this Court's order as void or ineffective as was sought to be done by way of ordinance. We place on record that we had scanned the documents regarding admission in the first round of litigation and the case was heard at length for several days. Hard copies were also placed before us; whereafter we rendered the decision after considering that admissions were not given to the students in accordance with law and approved the decision of regulatory committee effective. Thus, it was prima facie not open to sit over the judgment and validate those very admissions and to venture into regularising them. We therefore, stay the operation of the ordinance and make it clear that no student shall be permitted to

reap any benefit of any action taken and they shall not be permitted to attend the college or the classes or continue in medical colleges in any manner pursuant to ordinance. It is made clear to all concerned that any violation of the order shall be treated seriously by this court. Let pleadings be completed by the 7th May, 2018.

List in the second week of May, 2018 for hearing.

(NEELAM GULATI)
COURT MASTER (SH)

(JAGDISH CHANDER)
BRANCH OFFICER