

ITEM NO.15 Court 11 (Video Conferencing)

Revised*
SECTION XI-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 7907/2020

(Arising out of impugned final judgment and order dated 29-05-2020 in WP(C) No. 10205/2020 passed by the High Court of Kerala at Ernakulam)

LALITHA R NATH & ORS.

Petitioner(s)

VERSUS

KANNUR MEDICAL COLLEGE & ORS.

Respondent(s)

IA No. 11588/2021 - APPLICATION FOR PERMISSION
IA No. 136952/2020 - APPLICATION FOR PERMISSION
IA No. 120323/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 8489/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 8199/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 8488/2021 - INTERVENTION APPLICATION
IA No. 6744/2021 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 9507/2020 (XI-A)

SLP(C) No. 8121/2020 (XI-A)

SLP(C) No. 7462/2020 (XI-A)

IA No. 53917/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 53918/2020 - EXEMPTION FROM PAYING COURT FEE)

SLP(C) No. 9111/2020 (XI-A)

IA No. 71499/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 71506/2020 - EXEMPTION FROM FILING O.T.

IA No. 71505/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 71500/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)

SLP(C) No. 9165/2020 (XI-A)

IA No. 72150/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 78071/2020 - EXEMPTION FROM FILING O.T.

IA No. 78070/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 72154/2020 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES**IA No. 72151/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)****SLP(C) No. 9342/2020 (XI-A)****IA No. 73970/2020 - EXEMPTION FROM FILING O.T.****IA No. 73965/2020 - PERMISSION TO FILE ADDITIONAL****DOCUMENTS/FACTS/ANNEXURES****IA No. 73969/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)****SLP(C) No. 9435/2020 (XI-A)****IA No. 75268/2020 - EXEMPTION FROM FILING O.T.****IA No. 75266/2020 - PERMISSION TO FILE ADDITIONAL****DOCUMENTS/FACTS/ANNEXURES****IA No. 75267/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)****SLP(C) No. 11445/2020 (XI-A)****SLP(C) No. 10642/2020 (XI-A)****IA No. 88609/2020 - EXEMPTION FROM FILING O.T.****IA No. 88605/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)****SLP(C) No. 11575/2020 (XI-A)****IA No. 97244/2020 - EXEMPTION FROM FILING O.T.****IA No. 97242/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)****Date : 03-02-2021 These matters were called on for hearing today.****CORAM :****HON'BLE MR. JUSTICE S. ABDUL NAZEER****HON'BLE MR. JUSTICE SANJIV KHANNA****For Petitioner(s)****IN SC 9507/20****Mr. Mohammed Sadique T.A., AOR****Mr. Abraham C. Mathew, Adv.****Ms. Anu K. Joy, Adv.****Mr. Alim Anvar, Adv.****IN SC 11575/20****Mr. Kaleeswaram Raj, Adv.****Mr. Mohammed Sadique T.A., AOR****Mr. Varun C. Vijay, Adv.****Mr. Aruna A. Adv.****Ms. Thulasi K. Raj, Adv.****Ms. Maitreyi Hegde, adv.****IN SC 11445/20****Mr. Kaleeswaram Raj, Adv.****Mr. Nishe Rajen Shonker, AOR****Mr. Varun C. Vijay, Adv.****Mr. Aruna A., Adv.****Ms. Thulasi K. Raj, Adv.****Ms. Maitreyi S. Hegde, Adv.**

Mr. C. K. Sasi, AOR

Mr. Raghenth Basant, Adv.
 Ms. Liz Mathew, AOR
 Mr. Navneet R., Adv.
 Mr. Manish Kumar Jha, Adv.

For Respondent(s) Mr. Maninder Singh, Sr. Adv.
 Mr. R.R. Kumar, Adv.
 Mr. Pratap Shanker, Adv.

Mr. Swetank Shantanu, AOR

Mr. Jaideep Gupta, Senior Adv
 Mr. C. K. Sasi, AOR

Ms. Priyanka Prakash, Adv.
 Ms. Beena Prakash,
 Mr. G. Prakash, AOR

Mr. Venkita Subramoniam T.R., AOR
 Mr. P. Sreekumar, Adv.
 Mr. Rahat Bansal, Adv.

Mr. M.F. Philip, Adv.
 Ms. Purnima Krishna, AOR

Mr. Abhilash. M.R, Adv.
 Mr. Sayooj Mohandas. M, Adv.
 Mr. Sandeep Singh, AOR

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

IN SLP (C) No. 8121 of 2020

Mr. Swetank Shantanu, learned counsel accepts notice on behalf of Respondent No.1.

Mr. C.S. Sasi, learned counsel accepts notice on behalf of Respondent No.2.

IN SLP (C) Nos. 7907 , 9507, 8121 and 7462 of 2020

Heard learned counsel for the parties.
 Hearing concluded
 Judgment reserved.

In SLP (C) Nos. 9165, 9342,9435,11445,10642 & 11575 OF 2020

We are not inclined to interfere with the impugned judgment passed by the High Court. Special Leave Petitions are dismissed.

Pending applications, if any, also stand disposed of.

In SLP (C) No. 9111 OF 2020

Leave granted.

The appeal is disposed of in terms of the signed order.

Pending applications, if any, also stand disposed of.

(NEELAM GULATI)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
COURT MASTER (NSH)

(Signed order in C.A. No. 321 of 2021 @ SLP (C) No. 9111/2020
is placed on the file)

*Revised for appearance only

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KANNUR MEDICAL COLLEGE & ORS.	Respondent (s)
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DOCUMENTS/FACTS/ANNEXURES**IA No. 72151/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)****SLP(C) No. 9342/2020 (XI-A)****IA No. 73970/2020 - EXEMPTION FROM FILING O.T.****IA No. 73965/2020 - PERMISSION TO FILE ADDITIONAL****DOCUMENTS/FACTS/ANNEXURES****IA No. 73969/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)****SLP(C) No. 9435/2020 (XI-A)****IA No. 75268/2020 - EXEMPTION FROM FILING O.T.****IA No. 75266/2020 - PERMISSION TO FILE ADDITIONAL****DOCUMENTS/FACTS/ANNEXURES****IA No. 75267/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)****SLP(C) No. 11445/2020 (XI-A)****SLP(C) No. 10642/2020 (XI-A)****IA No. 88609/2020 - EXEMPTION FROM FILING O.T.****IA No. 88605/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)****SLP(C) No. 11575/2020 (XI-A)****IA No. 97244/2020 - EXEMPTION FROM FILING O.T.****IA No. 97242/2020 - PERMISSION TO FILE LENGTHY LIST OF DATES)****Date : 03-02-2021 These matters were called on for hearing today.****CORAM :****HON'BLE MR. JUSTICE S. ABDUL NAZEER****HON'BLE MR. JUSTICE SANJIV KHANNA****For Petitioner(s)****Mr. Mohammed Sadique T.A., AOR****Mr. Nishe Rajen Shonker, AOR****Mr. C. K. Sasi, AOR****Mr. Raghenth Basant, Adv.****Ms. Liz Mathew, AOR****Mr. Navneet R., Adv.****Mr. Manish Kumar Jha, Adv.**

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 Mr. Jaideep Gupta, Senior Adv
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**(NEELAM GULATI)
ASTT. REGISTRAR-cum-PS**

**(KAMLESH RAWAT)
COURT MASTER (NSH)**

**(Signed order in C.A. No. 321 of 2021 @ SLP (C) No. 9111/2020
is placed on the file)**

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 321 OF 2021
(Arising out of SLP (C) No. 9111 of 2020)

K. MOHANAKUMAR

... APPELLANT(S)

VERSUS

THE PRINCIPAL, KANNUR
MEDICAL COLLEGE & ANR.

... RESPONDENT(S)

ORDER

Leave granted.

Learned counsel for the appellant Mr. K. Mohanakumar states that the impugned order dated 10th June, 2020 passed by the High Court of Kerala at Ernakulam passed in W.P. (C) No. 26776 of 2019 has not referred to the evidence and material relied upon by the Admission Advisory Committee, *albeit* has only taken into account the two receipts issued by the Kannur Medical College. He submits that the matter may be remanded to the High Court for fresh consideration.

Mr. R.R. Kumar, learned counsel, who appears for the respondent no.1- Kannur Medical college, states that he has no objection in case the matter is remanded.

However, the statement should not be construed as an admission or acceptance of the claim made by the appellant.

In view of the statements made by the learned counsel, we set aside the impugned order dated 10th June, 2020 passed by the High Court of Kerala at Ernakulam in W.P. (C) No. 26776 of 2019 titled "The Principal, Kannur Medical College vs. The Admission Supervisory Committee and Anr." and remit the matter to the High Court for fresh decision in accordance with law.

We clarify that we have not expressed any opinion on the merits and that the contentions would be examined afresh without being influenced by the earlier order or the present order of remand.

The appeal is disposed of accordingly.

.....J.
(S. ABDUL NAZEER)

.....J.
(SANJIV KHANNA)

New Delhi;
February 03, 2021