

ITEM NO.23

COURT NO.1

SECTION X

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

CONTEMPT PETITION (CIVIL) Diary No(s). 35224/2022

(Arising out of impugned final judgment and order dated 31-03-2022 in W.P.(C) No. No. 174/2022 passed by the Supreme Court Of India)

SAMREEDHI NATH & ORS.

Petitioner(s)

VERSUS

SURESH CHANDRA SHARMA & ORS.

Respondent(s)

(IA No. 165786/2022 - APPLICATION FOR PERMISSION IA No. 165789/2022 - STAY APPLICATION)

Date : 09-11-2022 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Mr. Rana Mukherjee, Sr. Adv.
Ms. Gargi Srivastava, Adv.
Mr. Arpit Shukla, AOR
Ms. Daisy Hanah, Adv.
Mr. Sumit Arora, Adv.

For Respondent(s) Ms. Aishwarya Bhati, ASG
Mr. Aman Sharma, Adv.

Mr. Nikhil Goel, AAG
Mr. V.N. Raghupathy, Adv.
Mr. Adithya Roy, Adv.

Mr. Abhinav Mukerji, AOR
Ms. Pratishtha Vij, Adv.
Ms. Bihu Sharma, Adv.
Mr. Akshay C. Shrivastava, Adv.

Mr. Gaurav Sharma, AOR
Mr. Dhawal Mohan, Adv.
Mr. Prateek Bhatia, Adv.
Ms. Mitushi Goyal, Adv.

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

1 Ms Aishwarya Bhati, Additional Solicitor General has pointed out that the States

of Assam, Bihar, Goa, Haryana, Karnataka, Madhya Pradesh, Punjab, Uttarakhand and West Bengal and the Union Territories of Chandigarh, Jammu & Kashmir and of Puducherry have not completed the second round of counselling for NEET-PG by this date.

- 2 The State of Karnataka is appearing through Mr Nikhil Goel, counsel who submits that though the process for the first round was initiated on 19 September 2022 and the first round was completed on 14 October 2022, there was a delay occasioned by an order of the High Court dated 21 October 2022 by which the process was quashed. After that a fresh seat matrix was stated to have been notified on 30 October 2022 and the first round of counselling was completed on 7 November 2022. Counsel submits that the second round of counselling will be completed by 20 November 2022.
- 3 At this stage, it appears that the above States and Union Territories have failed to complete the second round of counselling as a result of which the mop up round of counselling is to take place without the anterior stage being completed. This could cause serious prejudice to students who are desirous of applying for the NEET-PG mop up round.
- 4 In addition to the States of Bihar and Karnataka to whom notice was issued on the previous date, notice shall also be issued to other States and Union Territories listed in Para 1 above, returnable on 11 November 2022.
- 5 All the States and Union Territories which have not completed the second round of counselling are placed on notice that this Court would, unless adequate reasons are furnished on the next date, be inclined to issue a peremptory direction for completion of the second round of counselling by 16 November 2022 so that the mop up round for All-India counselling can then take place.
- 6 Liberty to serve the Standing Counsel of all the States and Union Territories to

whom notice has been directed to be issued, by email.

- 7 The Standing Counsel shall positively take instructions from the Health Secretaries of their respective States on the reasons for the delay and on the proposed directions which the Court has formulated above.
- 8 In the meantime, since the Union Ministry of Health and Family Welfare has held back the mop up round of counselling, we direct that further steps for completing the mop up round shall stand deferred till 11 November 2022 on which date a final decision will be taken.
- 9 Mr Rana Mukherjee, senior counsel submits that the State of Maharashtra is conducting the State mop up round without the mop up round being conducted for the All India Quota seats.
- 10 Issue notice to the State of Maharashtra.
- 11 Liberty to serve the Standing Counsel for the State of Maharashtra.
- 12 List the Contempt Petition on 11 November 2022.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR