

ITEM NO.20

COURT NO.2

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.34220/2015

(Arising out of impugned final judgment and order dated 07-10-2015  
in WP No. 30/2015 passed by the High Court of Sikkim at Gangtok)

MEDICAL COUNCIL OF INDIA

Petitioner(s)

VERSUS

SIKKIM MANIPAL UNIVERSITY (SMU) & ORS.

Respondent(s)

(With appln.(s) for direction)

WITH S.L.P.(C) No.16551-16552/2015 (XIV)

S.L.P.(C) No.18313/2012 (XIV)

Date : 17-07-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr. Vikas Singh, Sr. Adv.  
Mr. Gaurav Sharma, AOR  
Mr. Amandeep Kaur, Adv.  
Mr. Dhawal Mohan, Adv.  
Ms. Vara Gaur, Adv.  
Mr. Prateek Bhatia, Adv.

For Respondent(s) Dr. Abhishek Manu Singhvi, Sr. Adv.  
Mr. Nikhil Nayyar, AOR  
Mr. Aman Ahluwalia, Adv.  
Mr. N. Sai Vinod, Adv.  
Mr. Dhananjay Baijal, Adv.  
Ms. Smriti Shah, Adv.  
Mr. Divyanshu Rai, Adv.  
Mr. Shashank Manish, Adv.  
Ms. Aaastha, Adv.

Signature Not Verified  
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CHETAN KUMAR  
Date: 2017.07.16  
14:29:30 IST  
Reason:

Dr. G. S. Joneja

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Mr. Amit Arora, Adv.  
M/s. Arputham Aruna And Co.

Mr. Uday Holla, Sr. Adv.  
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Mr. Shreekant N. Terdal, AOR

Mr. R.K. Rathore, Adv.  
Ms. Asha G. Nair, Adv.  
Mr. Sanjay Kumar Pathak, Adv.  
Mr. Ajay Sharma, Adv.  
Mr. G.S. Makker, Adv.

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

It is submitted by Dr. Abhishek Manu Singhvi, learned senior counsel appearing for the petitioner that this Court has passed certain orders in the same situation protecting the interest of the University. He has drawn our attention to the order dated 31<sup>st</sup> August, 2016. The operative part of the said order reads as follows:-

"Having heard learned counsel for the parties, we are inclined to permit the respondent-University to participate in the counselling that is going to commence 3.9.2016. Needless to say, any resultant effect of the counselling shall be subject to result of the special leave petition. The counselling shall take place for filling up of 50 seats. Be it clarified, the Medical Council of India had already granted recognition which is in vogue for 50 seats. We are granting permission for additional 50 seats as similar interim orders have been passed from time to time, regard being had to the special features of the case."

Mr. Vikas Singh, learned senior counsel appearing for the Medical Council of India has serious objection for continuance of the said order.

Regard being had to the totality of the facts and circumstances of the case, we are inclined to direct that the order and direction reproduced herein-above, shall apply for the present academic year.

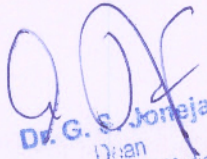
The interlocutory application is, accordingly, disposed of.

S.L.P. (C) Nos.34220/2015, 18313/2012 & 16551-16552/2015

Let the matters be listed on 22<sup>nd</sup> November, 2017, for final disposal.

(Chetan Kumar)  
Court Master

(H.S. Parasher)  
Court Master

  
Dr. G. S. Joneja  
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