

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.11055 OF 2017
(Arising out of SLP(C)No. 17342 of 2015)

MEDICAL COUNCIL OF INDIA ...APPELLANT(S)

VERSUS

MAYO INSTITUTE OF MEDICAL
SCIENCES & ORS. ...RESPONDENT(S)

O R D E R

1. Leave granted.
2. We have heard learned counsels for the parties.
3. Having considered the entire gamut of facts and the issues arising out of the order of the High Court, we find that the students whose admissions were faulted and were asked to be discharged have completed four years of studies. No overt act on the part of the students tainting their admission as fraudulent can be attributed. At the same time, regard must be had of the fact that the lacunae in

infrastructure/facilities did exist in the Respondent Medical College for the year in question, though the same, apparently, has been updated in the subsequent years. In the above circumstances, we are of the view that the order of the High Court dated 12.06.2015 insofar as interference with the decisions of the Medical Council of India contained letters dated 30.12.2014 and 30.03.2015 relating to the admission of the concerned students should be affirmed. We order accordingly.

4. However, we interfere with the order of the High Court insofar as the findings of default on the part of the Medical Council of India and imposition of fine to the cost of Rs. One lakh on the appellant is concerned.

5. Insofar as any fresh or further action against the defaulting college(s) is concerned, it will be open for the Medical Council of India to take necessary steps

in accordance with law and take a decision in the matter after hearing defaulting college(s).

6. With the aforesaid directions and observations, the appeal is disposed of.

....., J.
(RANJAN GOGOI)

....., J.
(NAVIN SINHA)

NEW DELHI
AUGUST 28, 2017

ITEM NO.4

COURT NO.3

SECTION XI

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(s). 17342/2015

(Arising out of impugned final judgment and order dated 12-06-2015 in WP No. 1804/2015 passed by the High Court of Judicature at Allahabad, Lucknow Bench)

MEDICAL COUNCIL OF INDIA

Petitioner(s)

VERSUS

MAYO INSTITUTE OF MEDICAL SCIENCES & ORS.

Respondent(s)

Date : 28-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI

HON'BLE MR. JUSTICE NAVIN SINHA

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

For Respondent(s) Mr. Ranjit Kumar, SG
Ms. Rekha Pandey, Adv.
Mr. R. Balasubramanian, Adv.
Ms. Aarti Shirma, Adv.
Mr. G.S. makker, Adv.

Mr. Vijay Hansaria, Sr. Adv.
Mr. Ashish Kr., Adv.
Mr. Animesh Kr., Adv.
Mr. Sumit Kr. Adv.
Mr. Rana Prashant, Adv.
Mr. Neeraj Shekhar, AOR

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

Leave granted.

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

Pending application(s), if any, shall stand disposed of.

(NEETU KHAJURIA)
COURT MASTER

(ASHA SONI)
BRANCH OFFICER

(Signed order is placed on the file.)