

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

WRIT PETITION (CIVIL) NO. 1170/2020

**ST. PETER'S INSTITUTE OF HIGHER EDUCATION
AND RESEARCH**

PETITIONER(S)

VERSUS

NATIONAL MEDICAL COMMISSION & ANR.

RESPONDENT(S)

O R D E R

Heard.

The petitioner has filed this writ petition under Article 32 of the Constitution of India for a direction to the National Medical Commission (NMC) to consider its application dated 27.8.2020 to grant permission for establishment of St. Peter's Medical College, Hospital & Research Institute at Hosur Taluka, Krishnagiri District, Tamil Nadu ('Medical College') with annual intake of 150 students for MBBS Course for the academic year 2020-2021.

The application filed by the petitioner last year was rejected on 11.11.2019 in view of certain essential documents not being provided by the

petitioner.

Mr. Gopal Sankaranarayanan, learned senior counsel appearing for the petitioner submitted that all defects that were pointed out in the earlier application have been cured. All relevant documents have been supplied by the petitioner in the application filed on 27.8.2020. This Court vide Order dated 14.9.2020 extended the last date for grant of permission for establishment of medical colleges for the Academic Year 2020-2021 to 15.10.2020. He requested that the NMC may be directed to conduct an inspection as the undergraduate medical course is scheduled to start only in January, 2021. He also submitted that the Medical College is in Krishnagiri District in the State of Tamil Nadu where there is a dearth of qualified doctors.

Mr. Gaurav Sharma, learned counsel appearing for the NMC submitted that the earlier application preferred by the Medical College was rejected as the petitioner failed to furnish relevant documents. The application dated 27.8.2020 filed by the petitioner cannot be considered for this Academic Year 2020-2021 as the counselling for this Academic Year has already started.

We are not inclined to give a direction as sought for by the petitioner in this writ petition for this Academic Year. However, the application preferred by the petitioner shall be considered in accordance with law for the Academic Year 2021-2022. However, this shall not be treated as a precedent.

The fee that was paid by the petitioner for the last Academic Year shall be taken into account for consideration of his application for the Academic Year 2021-2022.

Writ petition stands disposed of accordingly. Pending application(s), if any, shall also stand disposed of.

.....J.
(L.NAGESWARA RAO)

.....J.
(HEMANT GUPTA)

.....J.
(AJAY RASTOGI)

NEW DELHI;
NOVEMBER 05, 2020

ITEM NO.21 Court 5 (Video Conferencing) SECTION X

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

Writ Petition(s)(Civil) No(s). 1170/2020

ST. PETER'S INSTITUTE OF HIGHER EDUCATION Petitioner(s)
AND RESEARCH

VERSUS

NATIONAL MEDICAL COMMISSION & ANR. Respondent(s)

(with applns. for appropriate orders/directions, exemption from filing affidavit and permission to file additional documents/facts/annexures)

Date : 05-11-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Mr. Gopal Sankaranarayanan, Sr. Adv.
 Ms. Pooja Dhar, AOR

For Respondent(S) Ms. Aman Lekhi, ASG
 Mr. Gurmeet Singh Makker, AOR
 Ms. Aakanksha Kaul, Adv.
 Ms. Adit Khorana, Adv.

Mr. Gaurav Sharma, AOR
Mr. Prateek Bhatia, Adv
Mr. Dhawal Mohan, Adv.
Ms. Alamkrita Sinha, Adv.

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

Writ petition stands disposed of in terms
of Signed Order. Pending application(s), if any,
shall also stand disposed of.

(Geeta Ahuja)
Court Master

(Anand Prakash)
Court Master

(Signed Order is placed on the file)