

ITEM NO.2 Court 2 (Video Conferencing) SECTION IX

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). 15340/2020

(Arising out of impugned final judgment and order dated 24-11-2020 in WPST No. 94737/2020 passed by the High Court Of Judicature At Bombay)

MUSKAN SAMIR MODASIA

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.132029/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 135339/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 24-12-2020 These matters were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. Ritesh Agrawal, AOR
Mr. Devendra Sharma, Adv.
Ms. Aishwarya Adlakhia, Adv.
Mr. Teejas Bhatia, Adv.

For Respondent(s)

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

The policy of admission to MBBS Course in NAMO Medical Education and Research Institute, Silvassa, Dadra and Nagar Haveli and Daman and Diu for the Academic Year 2020-2021, as stated in its 'Admission Prospectus 2020-21' is to give the benefit of 'First Priority' for admission to those candidates whose parents were domiciles of the Union Territory of Dadra and Nagar Haveli or Daman and Diu and had studied at a recognised school in Dadra and Nagar

Haveli and Daor or Diu from classes 8th to 12th.

A policy decision is not ordinarily interfered with by the Court in exercise of its power of judicial review. The judgment in "Ms. Vinita Umesh Singh vs. The Administrator, Dadra and Nagar Haveli & Ors." (W.P. (ST) No.96105/2020 decided on 17.12.2020) was rendered in the peculiar facts and circumstances of that case where the concerned student had studied in the 9th, 10th, 11th and 12th and had appeared for the Board examinations of Secondary and Senior Secondary level from one of the two Union Territories. The petitioner only attended primary classes at a school in the Union Territory of Dadra and Nagar Haveli and, therefore, is not eligible for 'First Priority'.

The well reasoned judgment of the Bombay High Court, in our view, requires no interference by this Court and certainly not at this stage. The Special Leave Petition is, thus, not entertained and is dismissed accordingly.

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

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(R.S. NARAYANAN)
COURT MASTER