

ITEM NO.4

COURT NO.7

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 (Civil) No.837/2017

SAKSHI SHIKSHAN SANSTHA & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR STAY APPLICATION ON IA 87533/2017)

Date : 14-09-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE
HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Petitioner(s) Mr. Guru Krishna Kumar, Sr. Adv.
Mr. Hrishikesh Chitale, Adv.
Mr. Pranay Jain, Adv.
For M/s Mitter & Mitter Co.

For Respondent(s) Mr. Ajit Kr. Sinha, Sr. Adv.
Mr. Vibhu Shanker Mishra, Adv.
Mr. Kuldeep C., Adv.

Mr. Prateek Bhatia, Adv.
Mr. Dhawal Mohan, Adv.
For Mr. Gaurav Sharma, Adv.

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

We have heard Mr. Guru Krishna Kumar, learned Senior Counsel for the petitioner, Mr. Ajit Kr. Sinha, learned Senior Counsel for the respondent-Union of India, and Mr. Prateek Bhatia, learned counsel for the respondent-Dental Council of India (DCI) and perused the record.

In fact, the petitioners seek renewal of permission to admit students for the academic year 2017-2018.

However, Mr. Ajit Kr. Sinha, learned Senior Counsel for the respondent-Union of India, rightly relies on the judgment rendered by this Court on 12.09.2017 in Writ Petition (C) No.747 of 2017 - *Royal Medical Trust and Another vs. Union of India and Another*. In the said judgment, this Court has observed as follows :

"54. Keeping in view the facts and circumstances of the case, we sum up our conclusions and directions, thus :-

(a) The petitioners are not entitled to Letter Of Permission (LOP) for the academic session 2017-2018. We direct that the order passed in the present writ petition shall be applicable hereafter for the academic session 2017-2018 since the cut off date for admissions to MBBS course for academic session 2017-2018 is over and the academic session has commenced. No petition shall be entertained from any institution/college/society/trust or any party for grant of LOP for 2017-2018. We say so as the controversy for grant of LOP for the academic year 2017-2018 should come to an end and cannot become an event that defeats time. The students who are continuing their studies on the basis of LOP granted for the academic year 2016-2017 should be allowed to continue their studies in the college and they shall be permitted to continue till completion of the course.

(b) The applications submitted for 2017-2018 shall be treated as applications for 2018-2019 and the petitioners shall keep the bank guarantee deposited with the Medical Council of India alive and the MCI shall not encash the same."

Accordingly, we dispose of the instant writ petition in the same terms as above.

As a sequel to the above, pending interlocutory applications, if any, stand disposed of.

(SANJAY KUMAR-II)
COURT MASTER (SH)

(SNEH LATA SHARMA)
BRANCH OFFICER