
(2021) 01 KL CK 0116

In the High Court Of Kerala

Case No : Writ Petition (C) No. 178, 200, 203 Of 2021

Alan Oommen Mathew And Ors

APPELLANT

Vs

State Of Kerala And Ors

RESPONDENT

Date of Decision : 05-01-2021

Acts Referred:

Citation : (2021) 01 KL CK 0116

Hon'ble Judges : A.M. Shaffique, J;Gopinath P, J

Bench : Division Bench

Advocate : Kurian George Kannanthanam, Tony George Kannanthanam, Alex George, Ebee Antony, Thomas George, M.A. Asif, P.M. Saneer, S.Vinod Bhat, Anagha Lakshmy Raman

Final Decision : Disposed Of

Judgement

A.M. Shaffique, J

1. Sri.M.A.Asif, the learned Special Government Pleader takes notice on behalf of respondent State.

2. The issue raised in these writ petitions concerns admission to the MBBS course during the present academic year under the NRI quota. It is brought to our notice that the National Medical Commission has extended the last date for admission to the aforesaid course until 15.01.2021.

3. It is submitted that permission was granted by the Commissioner for Entrance Examinations inviting fresh applications to fill up the NRI quota by issuing a notification on 28.12.2020 and the candidates were directed to appear before the Commissioner for Entrance Examinations at 10 a.m. on 29.12.2020. Though several candidates could appear and submit their documents, some of the candidates were not given allotment on account of the fact that the documents required for admission under the NRI quota were not complete.

4. The learned Senior Counsel appearing on behalf of the petitioners would

submit that some of the candidates had obtained certificates especially embassy attested sponsor documents subsequently. Insofar as time is due to expire by 3 p.m. on 05.01.2021, several NRI seats still remain vacant. It is therefore submitted that if the NRI quota is not filled up, the seats may lapse and it may have to be carried forward for being filled up under the common category.

5. The learned Special Government Pleader submits that sufficient time had already been given by extending the time to enable the NRI category students to get admission, when it was felt by the Government that several NRI seats were vacant, therefore, it is not appropriate to extend the time again.

6. It is an admitted fact that notification had been issued only on 28.12.2020 and the candidates were directed to appear at 10 a.m. on 29.12.2020. Of course, the said time limit had been fixed on account of the fact that admissions were to be completed by 31.12.2020. Be that as it may, since the time has already been extended by the National Medical Commission until 15.01.2021; if some more time is granted, probably a few more seats under the NRI quota may be filled up.

In that view of the matter, we are of the view that the time could be extended until 2 p.m. on 08.01.2021. If any fresh candidates seeking admission under NRI candidates would appear before the Commissioner for Entrance Examinations before 2 p.m. on 08.01.2021 with all necessary documents; he shall verify the same and if any candidates are eligible, they shall be allotted seats as per the prescribed procedure, and a list shall be prepared to enable the students to get admission in the respective colleges.

Writ petitions are disposed of as above.