

(1993) 11 SC CK 0061

In the Supreme Court Of India

Case No : SLP (Civil) No. 17206 of 1993 in Writ Petition No. 33851 of 1993

Manipal Academy of Higher Education

APPELLANT

Vs

State of Karnataka

RESPONDENT

Date of Decision : 30-11-1993

Acts Referred:

Citation : (1993) 4 SCALE 690 : (1994) 2 SCC 200

Hon'ble Judges : S. Mohan, J;B.P. Jeevan Reddy, J

Bench : Division Bench

Final Decision : Partly Allowed

Judgement

1. Mr. M.L. Verma, learned senior counsel appearing for the Medical Council of India, which was not represented on the previous occasion when we passed the order dated 26th November, 1993, submits that the Medical Council of India does not have the infra-structure to conduct the examination. This is not denied by the other learned Counsel. In view of this we have to make necessary alternative arrangements. We hereby direct that from out of the list of students admitted to the M.B.B.S. Course as furnished by the State of Karnataka, we had earlier restricted the number of admission to 180, out of the remaining 200 the petitioner institution shall admit all the students listed therein.

2. The remaining 200 seats shall be filled from out of the list prepared by the Director General of Health services, Ministry of Health, Government of India for filling up the 15 per cent All India Quota. It is open to the petitioner institution to admit the students who had obtained 50 per cent and above marks. Here also the admission shall be in the order of merit. The petitioner institution shall advertise in all the leading national English daily's on or before 5th December, 1993, so that the students who are scattered all over India may get due notice. Such of those students who are desirous of joining the course shall respond on or before 15th December, 1993 to the petitioner institution. A copy of such response shall also be sent to the Secretary, Education Department, Government of Karnataka, Bangalore. They will be admitted on payment of such fees as is

fixed by the University Grants Commission. In order to facilitate the admission of the students the Director General of Health Services, Ministry of Health, Government of India, shall furnish forthwith a list of students who had obtained 50 per cent and above marks including the waiting list. Whatever cooperation is requested by the petitioner institution that will be rendered by the Director General, Health Services.

In view of the above order:

(a) Paragraph-7 of our order dated 26th November, 1993, shall stand deleted.

(b) At the end of paragraph-6 the following sentence shall be added: "The fixation may be done for the present for this academic year alone."

(c) In paragraph-8 sub-para-2 the figure of Rs. 10,000/- shall read as Rs. 1,000/-:

3. List on 17th December, 1993, in Chambers at 1.30 p.m. for further directions, if any.