

ITEM NO.5

COURT NO.4

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

I.A.NOS. 9, 16, 17, 18, 19, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 & I.A.NO. 2 IN I.A.NO.17 in Writ Petition(s) (Civil) No(s).76/2015

ASHISH RANJAN & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(For appropriate orders/directions and directions and impleadment and intervention and permission to file additional affidavit and permission to file additional documents and recalling order dated 18.01.2016 and extension of time and office report)

WITH

W.P.(C) No. 667/2016

(With appln.(s) for stay and)

W.P.(C) No. 711/2016

(With appln.(s) for stay and Office Report)

W.P.(C) No. 652/2016

(With appln.(s) for directions and impleadment and permission to file additional documents and permission to file additional documents and directions and impleadment and directions and impleadment and permission to file additional documents and directions and impleadment and impleadment and directions and impleadment and Office Report)

W.P.(C) No. 773/2016

(With appln.(s) for directions and Office Report)

W.P.(C) No. 772/2016

(With appln.(s) for directions and Office Report)

W.P.(C) No. 779/2016

(With appln.(s) for ex-parte stay and Office Report)

W.P.(C) No. 782/2016

(With Office Report)

W.P.(C) No. 795/2016

(With (With appln.(s) for permission to file additional documents

and appln.(s) for directions and Office Report)

W.P.(C) No. 821/2016

(With appln.(s) for directions and Office Report)

Date : 06/10/2016 This application was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE UDAY UMESH LALIT

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

This Court on 13.10.2016 had passed an order with regard to All India Quota seats. The relevant part reads as follows :

"Ms. Pinky Anand, learned Additional Solicitor General appearing for the Union of India has filed a chart which is not complete. She will file a complete chart by 5th October, 2016.

The other interlocutory applications as well as the other matters relating to the other States shall be listed on 6th October, 2016.

It is hereby directed that the seats which are reverted to the State quota and remain unfilled, shall not be filled up till then."

Ms. Pinky Anand, learned Additional Solicitor General for Union of India has filed a Chart which is as follows :

"GOVERNMENT OF INDIA
MINISTRY OF HEALTH & FAMILY WELFARE
DIRECTORATE GENERAL OF HEALTH SERVICES
NIRMAN BHAWAN, NEW DELHI

As per the Order of the Hon'ble Supreme Court of India dated 29/9/2016 and subsequent order dated 03/10/2016 in Writ Petition (C) No.652 of 2016 - Subhash Kumar & Ors. vs. UOI & Ors. The vacancy position of MBBS/BDS seats of 15% All India Quota - 2016 received from various States of the country after 30/09/2016:

Sl. No.	States	Number of seats reverted after 15% AIQ counselling on 23/09/2016		Balance of 15% AIQ seats remaining after state counselling on 30/09/2016	
1.	Andaman & Nicobar Islands	13	0	0	0
2.	ASSAM	42	2	0	0
3.	BIHAR	68	5	21	10

4.	CHANDIGARH	5	0	0	0
5.	CHHATTISGARH	45	12	0	0
6.	DELHI (Delhi University)	10	0	0	0
7.	DELHI (IP University)	11	8	0	0
8.	GOA	12	6	0	0
9.	GUJARAT	68	9	0	0
10.	HARYANA	44	3	0	0
11.	HIMACHAL PRADESH	28	8	0	0
12.	JHARKHAND	24	0	3	0
13.	KARNATAKA	100	13	8	0
14.	KERALA	10	15	0	0
15.	MADHYA PRADESH	60	4	0	0
16.	MAHARASHTRA	166	35	41	27
17.	MANIPUR	17	6	0	0
18.	MEGHALAYA	6	0	0	0
19.	ORISSA	31	7	1	0
20.	PONDICHERRY	8	2	0	0
21.	PUNJAB	33	12	0	0
22.	RAJASTHAN	124	3	0	0
23.	TAMIL NADU	82	12	1	0
*24.	TRIPURA	12	0	12	0
25.	UTTAR PRADESH	111	6	23	0
26.	BHU Varanasi (UP)	4	5	0	3
27.	UTTRAKHAND	36	0	0	0
28.	WEST BENGAL	121	29	3	25
TOTAL		MBBS= 1291 BDS= 202		MBBS= 113 BDS= 65	
GRAND TOTAL		1493		178	

* Note - Admission has been held up in view of the Hon'ble High Court of Tripura."

At this juncture, it is submitted by Mr. Gaurav Sharma, that this Court has granted extension of time to the States of Kerala, Karnataka, Madhya Pradesh and Uttar Pradesh to fill up their State Quota Seats. Needless to say, the State quota also includes the

seats that have been reverted from All India Quota. The rest of the seats which find mention in the chart not belonging to the four States shall be filled up by the concerned States by adopting a transparent procedure, regard being had to the criteria followed for filling up All India Quota seats. We may hasten to clarify, the States shall not treat them as seats which have been reverted to the State quota from All India Quota but fill them up by taking the merits in All India Quota. Needles to say the whole thing shall be completed by 07.10.2016.

The order shall be put on the website by the DGHS and the competent authority of the Medical Council of India; and the DGHS shall inform the competent authorities of the States. Similar exercise shall be done by the States which are not covered by the extended period. No individual notice shall be given. Be it clarified our order shall only be applicable to Government colleges with respect to All India quota.

I.A. No.36 & 37 in WP No.76 of 2015

Heard Mr. Huzefa A. Ahmadi, learned senior counsel for the applicants and Mr. Siddharth Bhatnagar, learned counsel for the State of Goa.

Having heard learned counsel for the parties, we are of the considered opinion that the remaining four seats shall be filled up by adopting the method that was adopted by the State for filling up 85% seats. As other seats have been filled up by taking into consideration NEET merits, their admission shall not be disturbed. The counselling for the remaining four seats shall be completed by 7.10.2016.

The I.As. Stand disposed of.

Writ Petition No.795 of 2016

Mr. Prashant Kumar, learned counsel for the petitioners seeks

leave of this Court to withdraw the writ petition.

The writ petition is dismissed as withdrawn.

I.A. No.28, 29 and I.A. No.... D.No. 76295/2016 in WP No.76 of 2015

List the I.As. on 07.10.2016.

No other arguments shall be entertained with regard to any other I.A.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master