

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO.634 OF 2018

STATE OF BIHAR ...Petitioner(s)

VS.

MEDICAL COUNCIL OF INDIA & ANR. ...Respondent(s)

WITH

WRIT PETITION (CIVIL) No. 683 OF 2018

WRIT PETITION (CIVIL) No. 682 OF 2018

O R D E R

1. Writ Petition(Civil)No.634 of 2018 has been filed by the State of Bihar for quashing and setting aside the order dated 31st May, 2018 passed by respondent No.2-Union of India thereby rejecting the permission to the three Government Medical Colleges established by the State of Bihar for the Academic Session 2018-19. It is also prayed for in the petition to issue writ of mandamus directing the respondents to grant Letter of Permission to the said three Government Medical Colleges and admitting the students for the Academic Session 2018-19. The other two Writ Petitions have been filed by the State of Jharkhand and the State of Uttar Pradesh with similar grievances and for similar prayers.

2. A perusal of the order passed by this Court on 18th June, 2018 would reveal that this Court had taken on record the affidavits filed by the States which pointed out the various steps taken to remove or rectify the deficiencies pointed out by the Medical Council of India (MCI) (now National Medical Commission [NMC]).

3. On the basis of the statements made in the affidavits, this Court had granted permission for Academic Session 2018-19 onwards. As per the said order, the Medical Council of India was also to carry out inspection as to whether the States have cured the deficiencies or not.

4. Mr. Gaurav Sharma, learned counsel appearing on behalf of the MCI (now NMC) states that the periodical inspections are being carried out with regard to the aforesaid Government Medical Colleges established by the three State Governments.

5. In that view of the matter, we do not find that any purpose would be served by keeping these petitions pending.

6. The petitioner-States are bound to adhere to the standards as specified by the regulatory authority i.e. NMC. If there are any deficiencies, the NMC as well as the Central Government have ample powers to take such steps as are permissible in law. The Writ Petitions are, therefore, disposed of with the aforesaid observations.

7. Needless to state that since the permission for starting the course to the respective Medical Colleges was granted by this Court, the students who have undertaken the degree courses are required to be treated at par with the regular students and would be entitled to the same benefits and privileges as of having passed from the Medical College which was granted permission in accordance with law.

8. All pending applications stand disposed of.

.....J.
[B.R.GAVAI]

.....J.
[C.T.RAVIKUMAR]

New Delhi;
February 14, 2023.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 634/2018

STATE OF BIHAR

Petitioner(s)

VERSUS

MEDICAL COUNCIL OF INDIA & ANR.

Respondent(s)

(IA No. 50472/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 48044/2019 - CLARIFICATION/DIRECTION
IA No. 50474/2019 - EXEMPTION FROM FILING O.T.
IA No. 50469/2019 - INTERVENTION APPLICATION
IA No. 48043/2019 - INTERVENTION APPLICATION
IA No. 60961/2019 - INTERVENTION/IMPLEADMENT
IA No. 60965/2019 - INTERVENTION/IMPLEADMENT
IA No. 81530/2018 - STAY APPLICATION)

WITH W.P.(C) No. 683/2018

(IA No. 171879/2018 - CLARIFICATION/DIRECTION
IA No. 58442/2019 - CLARIFICATION/DIRECTION
IA No. 53819/2019 - CLARIFICATION/DIRECTION
IA No. 154421/2018 - EXEMPTION FROM FILING O.T.
IA No. 171881/2018 - EXEMPTION FROM FILING O.T.
IA No. 61912/2019 - INTERVENTION APPLICATION
IA No. 58440/2019 - INTERVENTION APPLICATION
IA No. 154132/2018 - INTERVENTION APPLICATION
IA No. 53815/2019 - INTERVENTION APPLICATION
IA No. 74454/2019 - INTERVENTION/IMPLEADMENT
IA No. 60969/2019 - INTERVENTION/IMPLEADMENT
IA No. 83094/2018 - STAY APPLICATION
IA No. 171487/2018 - WITHDRAWAL OF CASE / APPLICATION
IA No. 170258/2018 - WITHDRAWAL OF CASE / APPLICATION
IA No. 170247/2018 - WITHDRAWAL OF CASE / APPLICATION)

W.P.(C) No. 682/2018

(IA No. 83075/2018 - STAY APPLICATION)

Date : 14-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Mr. Saket Singh, Adv.
Mrs. Niranjana Singh, AOR

Mr. Anando Mukherjee, AOR

Mr. Ankit Goel, AOR

For Respondent(s) Mr. Gaurav Sharma, AOR
Mr. Dhawal Mohan, Adv.
Mr. Prateek Bhatia, Adv.
Mr. Paranjay Thripathi, Adv.

Ms. V.Mohana, Sr.Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. Sachin Sharma, Adv.
Mr. K.Chandramohan, Adv.
Mr. Apoorv Kurup, Adv.
Mr. Vatsal Joshi, Adv.
Ms. Sneha Batwe, Adv.
Mr. Bhavya Pande, Adv.
Mr. Nakul Chengappa K.K., Adv.
Ms. Akriti A.Manubarwala, Adv.
Ms. Nikita Sharma, Adv.
Ms. Ankita Sharma, Adv.
Ms. Keshvi Dutta, Adv.

Mr. Utkarsh Sharma, AOR
Mr. Anil Kumar Gupta-ii, AOR

Mr. Pranab Prakash, AOR
Mr. Shivam Singh, Adv.
Mr. Avi Srivastava, Adv.

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

1. The Writ Petitions and all the pending applications including applications for intervention/impleadment are disposed of in terms of the signed order.

(ANITA MALHOTRA)
AR-CUM-PS

(ANJU KAPOOR)
COURT MASTER

(Signed order is placed on the file.)