

2023 LiveLaw (SC) 825

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

VIKRAM NATH; J., AHSANUDDIN AMANULLAH; J.

September 22, 2023

CIVIL APPEAL NO.6084 OF 2023 (Arising from SLP (C) No.4567/2023)

THE REGISTRAR-IN-CHARGE & ORS. *versus* MEDHASREE GOSWAMI & ORS.

NEET - 2019 NEET results could not have been basis for allowing counselling in the year 2022 for admission to MBBS courses. (Para 3)

(Arising out of impugned final judgment and order dated 14-07-2022 in MAT No. 26/2019 passed by the High Court of Calcutta Circuit Bench at Jalpaiguri)

For Petitioner(s) Mr. Harin P. Raval, Sr. Adv. Mr. Raja Chatterjee, Adv. Mr. Adeel Ahmed, AOR Ms. Sana Parween, Adv. Ms. Shreyastha, Adv.

For Respondent(s) Mr. K.Parameshwar, AOR Ms. Arti Gupta, Adv. Ms. Kanti, Adv. Mr. Chinmay Kalgaonkar, Adv.

ORDER

Leave granted.

2. This appeal is directed against an interim order dated 14.07.2022 passed by the High Court of Calcutta in Circuit Bench at Jalpaiguri in MAT No.26 of 2019, whereby the High Court permitted/allowed the writ petitioners (respondents herein) to participate in counselling session for the admission process to commence in August, 2022 for the admission to the MBBS course in West Bengal University of Health Sciences based upon the results of the NEET 2019.

3. In our considered opinion, firstly, by an interim order such direction could not have been granted and secondly, 2019 NEET results could not have been basis for allowing counselling in the year 2022 for admission to MBBS courses.

4. We accordingly, allow this appeal; set aside the impugned order passed by the Division Bench of the High Court of Calcutta.

5. Further, in order to put a quietus to this litigation, we are of the view that the learned Single Judge issuing such directions in the year 2019 which was stayed by the Division Bench resulting into the impugned order in 2022 needs to be closed. Therefore, the appeal will stand allowed and the writ petition will stand dismissed. Anything consequential shall also stand closed.

6. Pending applications also stand disposed of.