

A MEDICAL COUNCIL OF INDIA
v.
MANAS RANJAN BEHERA & ORS.
(Civil Appeal No. 7134-35 of 2009)

B OCTOBER 26, 2009

[K.G. BALAKRISHNAN, CJI. AND P. SATHASIVAM, J.]

Education/Educational Institutions:

C *Admission to medical courses – Time Schedule prescribed – High Court directing admission to students after cut-off date – HELD: In view of directions of Supreme Court that time schedule provided in Regulations to be strictly adhered to by all concerned, High Court should not have*

D *passed the impugned order – However, it has been noticed that the students concerned were eligible, and because of unprecedented situation, they could not secure admission within the prescribed time limit – Delay in giving admission to them is condoned as a one time measure – However, it is*

E *clarified that the time schedule prescribed by the Court should be followed strictly.*

Mridul Dhar (Minor) and Anr. vs. Union of India and Ors.
2005 (2) SCC 65, relied on.

F **Case Law Reference:**

2005 (2) SCC 65 relied on para 2

CIVIL APPELLATE JURISDICTION : Civil Appeal No.
7134-35 of 2009.

G From the Judgment & Order dated 27.10.2008 of the High Court of Orissa at Cuttack in W.A. Nos. 200 & 201 of 2008.

Abhinav Mukerji, Gaurav Sharma, Sumeet Bhatia and

Surbhi Mehta for the Appellant.

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Amarendra Bal, Pankaj Kumar Singh, Dr. Vinod Tiwari, J.P.N. Gupta (for K.L. Janjani), Jana Kalyan Das for the Respondents.

The following Order of the Court was delivered

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ORDER

1. Leave granted.

2. The Medical Council of India has challenged the Order passed by the Division Bench of the High Court of Orissa directing the admission of 12 students after the cut-off date of 30th September of the concerned year. It may be noticed in *Mridul Dhar (Minor) and Anr. v. Union of India and others*, reported in 2005 (2) SCC 65, this Court directed that all the parties shall comply with the directions issued by this Court as regards admission to students in the Medical and Dental colleges. In Direction-15 of paragraph 35 of the Judgment, we has also indicated, "Time schedule provided in the Regulations shall be strictly adhered to by all concerned failing which the defaulting party would be liable to be personally proceeded with."

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In view of these directions, the High Court should not have passed the impugned Order. However, we have noticed that these 12 students were eligible and because of unprecedented situation, they could not secure admission within the prescribed time limit. We condone the delay in giving admission to them as a one time measure. However, we clarify that these time schedule prescribed by this Court should be followed strictly.

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The appeals are disposed of accordingly.

R.P.

Appeals disposed of.