

State of U. P. and Others

Vs

D. K. Singh and Others

Civil Appeal No. 2928 of 1986

(O. Chinnappa Reddy, M. M. Dutt JJ)

26.08.1986

ORDER

CHINNAPPA REDDY, J. -

1. Special leave granted.

2. This appeal by the State of U.P., the Director of Medical Education and Principal, Motilal Nehru Medical College is directed against the judgment of the Allahabad High Court by which the postgraduate medical courses scheduled to commence in January 1987 has been advanced to July 1986 at the instance of some students (now doctors) who joined the medical college in August-September, 1979. The duration of the MBBS course is four and half years. After that, students are expected to do internship for one year and a house-job for another year. This would take them altogether six and half years. In the ordinary course the students who commenced the MBBS course in August-September, 1979 would have completed the MBBS course, internship and house-job by December 1985 and would have been eligible for admission to the post-graduate course which was to commence in January 1986, but which actually commenced in March 1986. Unfortunately for some reasons with which we are now not concerned, they were able to finish the full course in June 1986 only. The result was that they were unable to apply for admission to the post-graduate courses which commenced in March 1986. Claiming that it would be a waste of time for them to wait for six months, till January 1987, for admission to the next post-graduate courses, they made representations to the authorities and on the failure of the representations, they filed a writ petition in the Allahabad High Court praying that the authorities should be directed to commence the post-graduate courses in July 1986 itself instead of January 1987 and admit them thereto, so that there may be continuity and no break in their medical studies. The High Court allowed the writ petition holding that it was unreasonable on the part of the authorities to compel the students to wait for six months for no fault of theirs. The High Court expressed the view that the authorities were unnecessarily rigid in their view that the post-graduate course should commence in January only.

3. Having considered the matter we think that the High Court was not justified in interfering in a matter of such an academic nature as this. The question whether a course of study should commence in January or July of a year in a post-graduate medical institution is dependent on number of factors like the availability of seats, the availability of beds in the hospital, the availability of teachers, laboratories and equipment and perhaps a host of other factors with which we are not familiar. Ordinarily, it should, therefore be a matter best left to the University. In the case of medical studies the medical Council of India must also have a say in the matter. We find that the Medical Council of India has prescribed a teacher-student ratio of 1 : 1 for post-graduate medical courses. To have two parallel post-graduate medical courses running simultaneously will certainly disturb the teacher-

student ratio. This is certainly a serious matter concerning the standard of medical education and cannot be lightly brushed aside. We also notice that admissions to post-graduate courses in all medical colleges in Uttar Pradesh are made once a year only and never twice a year. We do not think that the authority can be said to have acted arbitrarily and unreasonably in not departing from the practice which they had invariably been following. When an academic year should commence and when it should end is eminently a matter for the education authorities and not for the court. We cannot dislocate the time schedule of the University merely for the convenience of a few students. The appeal is, therefore, allowed. The judgment of the High Court is set aside and the writ petition is dismissed.

</html