

Dr. Pramod Kumar Joshi

Vs

Medical Council of India and Others

Writ Petition No. 1154 of 1990

(CJI Ranganath Misra, Kuldeep Singh, M. H. Kania JJ)

19.02.1991

JUDGMENT

RANGANATH MISRA, C.J. –

1. This is an application under Article 32 of the Constitution. Petitioner, a medical graduate, on completion of his house job in Paediatrics from the Medical College at Kanpur also did house job for six months in Medicine from the G.T.B. Hospital, Delhi. He applied for a years' diploma course in Paediatrics in the Medical College at Kanpur but alleges that he was denied such admission and in July 1990 was offered admission in Diploma in Medical Radiotherapy and two months thereafter was admitted to Diploma course in Clinical Pathology. According to him under the regulations framed by the Indian Medical Council, the Diploma course was available to those who had completed housemanship in the speciality and he pleaded that the refusal of admission to him and admission granted to several respondents was contrary to the regulations. He maintained that he was at Sl. No. 7 of the list and ought to have been granted admission in DCH which he preferred.

2. There is some force in his submission but we find it difficult at this point of time to entertain the application as the 1990-91 session is almost complete and it would not be proper to allow him admission belatedly and disturb others who have already been admitted and have been undergoing the course. We accordingly dismiss the writ petition. Petitioner may look for admission in a future year. There will be no order for costs.

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