

# SUPREME COURT OF INDIA

Association of Management of Unaided Private Medical & Dental College

Vs.

Pravesh Niyrantran Samiti & Ors.

SLP.(Civil)No.11367 of 2005

(Y.K. Sabharwal, C.J. Arun Kumar and B.N. Srikrishna, JJ.)

27.07.2005

## ORDER

**Y.K. Sabharwal, C.J.**

1. On a writ petition filed by the Parents' Association of Medical Students, Maharashtra, in terms of the impugned judgment, the High Court issued directions for the State Government to make centralised admissions in respect of management quota seats in the medical/dental colleges. The said direction in regard to the centralised admissions by the State Government has been stayed in terms of the order dated 13-5-2005 on the Association of Management of Unaided Private Medical and Dental Colleges challenging the impugned judgment of the High Court. Further, it has been directed that the admission in the current year would be on the same basis as was conducted in Academic Year 2004-2005.

2. This application has been filed by the Parents' Association of Medical Students for modification of the order dated 13-5-2005 and for direction to the Association of the Management to conduct a centralised admission process for the present Academic Year 2005-2006. From the Judgment and Order dated 5-5-2005 in WPL No. 1044 of 2005 of the High Court of Bombay

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3. We have heard learned counsel. There can be no doubt that whatever procedure is followed, the admissions must be only on the criteria of merit and merit alone. Without further going into the details of submission and accusations made, one way or the other, for the present Academic Year 2005- 2006, we modify the order dated 13-5-2005 and direct that the centralised admissions in respect of management quota seats shall be conducted though not by the State Government but by the Association of Management of Unaided Private Medical and Dental Colleges on the basis of same selection process which is given in para 10

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of the brochure issued by the Government of Maharashtra for MHT-CET 2005 for admission into government seats for the year 2005-2006.

4. Further, we direct that, in order to ensure that no seat goes waste, any seat remaining unfilled out of the management quota till 27-9-2005 due to non-reporting of the students can be filled up by the management though again on the basis of merit. This aspect will be given due publicity so that students are made aware of the availability of seats. The order would be applicable in regard to the filling up of management seats other than NRI quota seats.

5. The Association of Management should ensure that there is no clash of dates of counselling with the dates fixed by the State Government.

6. The IA is disposed of accordingly.

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7. Since the special leave petitions are directed against the interim directions of the High Court, the said petitions stand disposed of in terms of the aforesaid order in IA No. 2.

Court Masters