

ITEM NO.14

COURT NO.8

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).23225/2018

(Arising out of impugned final judgment and order dated 01-08-2018 in WP(C) No.25895/2018 passed by the High Court Of Kerala At Ernakulam)

THE PRINCIPAL KANNUR MEDICAL COLLEGE

Petitioner(s)

VERSUS

THE ADMISSION SUPERVISORY COMMITTEE & ORS.

Respondent(s)

Date : 29-08-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Mr. Mukul Rohtagi, Sr. Adv.
Mr. Sukumar Pattjoshi, Sr. Adv.
Mr. R.R. Kumar, Adv.
Mr. Swetank Shantanu, AOR
Ms. Yanmi Phazang, Adv.
Ms. Titasha Banerjee, Adv.
Ms. Kashish Bajaj, Adv.

For Respondent(s) Mr. Jaideep Gupta, Sr. Adv.
Mr. C.K. Sasi, AOR
Mr. Nayantara Roy, Adv.

Mr. Jaideep Gupta, Sr. Adv.
Mr. G. Prakash, AOR
Mr. Jishnu M.L., Adv.
Ms. Priyanka Prakash, Adv.
Ms. Beena Prakash, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Signature Not Verified
Digitally signed by
SARITA P. P. CHIT
Date: 2018.08.30
17:43:48 IST
Reason:

The special leave petition is disposed of in terms of
following consent order :

1. The college shall return the double of the amount than the fees at deposited by each one of 150 students with college, by 4th September, 2018.

It is submitted that the amount shall be remitted in the bank account of each of the students. Let compliance report including bank statements, bank account numbers with names of students be filed not only in this Court but also to the Admission Supervisory Committee (ASC). The ASC shall ascertain and submit the report whether amount has been refunded, as ordered, to the students and bank accounts belong to them.

2. It is agreed to that the order of ASC for withdrawal of the affiliation shall not be acted upon in case the order is complied with.

3. It is also agreed to that Kannur Medical College, shall be permitted to participate in the mop-up round, which is going to take place on 4th and 5th of September, 2018, before the Controller of Entrance Examination, Kerala, and only those students who opt for college shall be allotted and no other.

4. The fees fixed by the ASC shall only be realised by the college from the students who opt for the college in question for the year 2018-19 onwards.

5. The college shall not admit even a single student for the year 2018-19, other than the one allotted by the Controller of Examination in the counselling that is to be held on 4th and 5th of September, 2018. In case of violation, entire order shall be withdrawn.

6. It is also undertaken that in future the college shall not collect the fees in any name more than one year's fees as prescribed under the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Act, 2017 and by ASC.

7. Let the amount of Rupees One Crore cost be paid by the college to the Chief Minister's Relief Fund, Kerala, by 20th September, 2018. The college shall also deposit the sum of Rs.10,00,000/- (Rupees Ten Lakhs) with the Supreme Court

Advocates-on-Record Welfare Trust and Rs.1,00,000/- (Rupees One Lakh) with the Supreme Court Bar Association.

8. If the original documents, if any, of the students, which may be lying with the college, shall be returned to the concerned students.

In case of non-compliance, the order shall be withdrawn by this Court. In view of disposal of the main petition, pending applications shall also stand disposed of.

(Jagdish Chander)
Branch Officer

(Sarita Purohit)
AR-cum-PS