

ITEM NO.1502

COURT NO.7

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 12918/2019

(Arising out of impugned final judgment and order dated 23-04-2019 in CWP No. 8234/2019 passed by the High Court Of Punjab & Haryana At Chandigarh)

TANVI BEHL

Petitioner(s)

VERSUS

SHREY GOEL & ORS.

Respondent(s)

WITH

SLP(C) No. 11441/2019 (IV-B)

SLP(C) No. 11477/2019 (IV-B)

SLP(C) No. 12919-12920/2019 (IV-B)

Date : 09-12-2019 These petitions were called on for pronouncement of judgment today.

For Petitioner(s) Mr. Rohit Sharma, Adv.
 Mr. Rounak Nayak, Adv.
 Mr. Atul Agarwal, Adv.
 Mr. Kumar Dushyant Singh, AOR

 Ms. Jaspreet Gogia, AOR

 Mr. Chandra Prakash, AOR
 Mr. Satyendra Kumar Srivastav, Adv.

Mr. Rakesh Dahiya, AOR

For Respondent(s) Mr. Nidhesh Gupta, Sr. Adv
 Mr. Avijit Mani Tripathi, AOR
 Ms. Nidhi Gupta, Adv.

 Mr. Chandra Prakash, AOR
 Mr. Satyendra Kumar Srivastav, Adv.

 Mr. Gaurav Sharma, AOR

Hon'ble Mr. Justice Dinesh Maheshwari pronounced the order of the Bench comprising Hon'ble Mr. Justice

A.M. Khanwilkar and His Lordship.

Leave granted.

In terms of signed reportable order, this Court observed as follows:

"Summation and Reference

25. For what has been discussed hereinabove, in our view, the question as to whether providing for domicile/residence-based reservation, particularly in admission to PG Medical Courses, is constitutionally permissible as also its corollaries, including the mode and modalities of its implementation (if permissible), more particularly in relation to the State/UT having only one Medical College, need to be examined by a Larger Bench of this Court for authoritative pronouncement.

26. Accordingly we would propose the following questions to be examined by a Larger Bench of this Court :

1. As to whether providing for domicile/residence-based reservation in admission to "PG Medical Courses" within the State Quota is constitutionally invalid and is impermissible?

2. (a) If answer to the first question is in the negative and if domicile/residence-based reservation in admission to "PG Medical Courses" is permissible, what should be the extent and manner of providing such domicile/residence-based reservation for admission to "PG Medical Courses" within the State Quota seats?

(b) Again, if domicile/residence-based reservation in admission to "PG Medical Courses" is permissible, considering that all the admissions are to be based on the merit and rank obtained in NEET, what should be the modality of providing such domicile/residence-based

reservation in relation to the State/UT having only one Medical College?

3. If answer to the first question is in the affirmative and if domicile/residence-based reservation in admission to "PG Medical Courses" is impermissible, as to how the State Quota seats, other than the permissible institutional preference seats, are to be filled up?

27. The matters be placed before Hon'ble the Chief Justice of India for constitution of appropriate Larger Bench. The interim orders passed in these matters shall continue until further orders."

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER

(Signed reportable order is placed on the file.)