

ITEM NO.1501
(for order)

Court 4 (Video Conferencing)

SECTION X

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

Writ Petition(s)(Civil) No(s).961/2021

NEIL AURELIO NUNES & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(WITH APPLN.(S) FOR EX-PARTE AD-INTERIM RELIEF, EXEMPTION FROM FILING AFFIDAVIT, APPROPRIATE ORDERS/DIRECTIONS, INTERVENTION/IMPLEADMENT, PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS)

WITH

W.P.(C) No. 967/2021 (X)

(WITH APPLN.(S) FOR EX-PARTE AD-INTERIM RELIEF, EXEMPTION FROM FILING AFFIDAVIT, PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND INTERVENTION/IMPLEADMENT)

W.P.(C) No. 1002/2021 (X)

(WITH APPLN.(S) FOR INTERVENTION/IMPEADMENT AND STAY APPLICATION)

W.P.(C) No. 1021/2021 (X)

(WITH APPLN.(S) FOR PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS)

W.P.(C) No. 1105/2021 (X)

(WITH APPLN.(S) FOR EX-PARTE STAY AND EXEMPTION FROM FILING AFFIDAVIT)

Date : 07-01-2022 These petitions were called on for pronouncement of order today.

For Petitioner(s)

WP 961,967/21

Mr. Arvind Datar, Sr. Adv.
Dr. Charu Mathur, AOR
Ms. Tanvi, Adv.
Mr. Sanjay Kumar Dubey, Adv.
Mr. Rahul Unnikrishnan, Adv.
Mr. Malak Bhatt, Adv.

WP 1105/21

Dr. Charu Mathur, AOR
Ms. Tanvi, Adv.
Mr. Sanjay Kumar Dubey, Adv.

WP 1002/21

Mr. Shyam Divan, Sr. Adv.
Mr. Vivek Singh, AOR

Mr. Ramesh Allanki, Adv.

WP 1021/21

Mr. Shrirang Choudhary, Adv.
Mr. Subodh S. Patil, AOR
Mr. Chaitanya Deshpande, Adv.
Ms. Supriya Patil, Adv.

For Respondent(s)

Mr. Tushar Mehta, SG
Mr. K.M. Nataraj, ASG
Mr. Kanu Agrawal, Adv.
Mr. Apoorv Kurup, Adv.
Mr. Vatsal Joshi, Adv.
Mr. Shailesh Madiyal, Adv.
Mr. Sugosh Subramaniam, Adv.
Mr. Amrish Kumar, AOR

Mr. Vikramajit Banerjee, ASG
Ms. Archana Pathak Dave, Adv.
Ms. Swarupama Chaturvedi, Adv.
Mr. Vikas Bansal, Adv.
Mr. Gurmeet Singh Makker, AOR

Mr. Gaurav Sharma, AOR
Mr. Kirtiman Singh, Adv.
Mr. Waize Ali Noor, Adv.
Mr. Dhawal Mohan, Adv.
Mr. Prateek Bhatia, Adv.
Ms. Srirupa Nag, Adv.
Mr. Taha Yasin, Adv.

Mr. P. Wilson, Sr. Adv.
Mr. R. Nedumaran, AOR
Ms. Chandra Priya C., Adv.
Mr. Mukul Lather, Adv.

Mr. A. Mariarputham, Sr. Adv.
Mr. V. Krishnamurthy, Sr. Adv. AAG
Dr. Joseph Aristotle S., AOR

Mr. V.K. Biju, AOR
Ms. Ria Sachthey, Adv.
Mr. Chetanya Singh, Adv.
Mr. Amlendu Kumar Akhilesh Kumar Jha, Adv.
Mr. Shaji George, Adv.
Ms. Vijay Laxmi, Adv.

Mr. Devashish Bharuka, AOR
Ms. Sarvshree, Adv.
Mr. Justine George, Adv.
Mr. Manas Syal, Adv.

Mr. Anand Grover, Sr. Adv.
Mr. Apoorve Karol, Adv.
Mr. Mithu Jain, AOR
Mr. Kartikay Trivedi, Adv.

Mr. Subodh S. Patil, AOR
Ms. Supriya Patil, Adv.
Mr. Chaitanya Deshpande, Adv.

Mr. Shashank Ratnoo, Adv.
Mr. Vikram Hegde, AOR
Mr. Shantanu Lakhotia, Adv.

Ms. Archana Pathak Dave, AOR
Mr. Kumar Prashant, Adv.
Ms. Vanya Gupta, Adv.
Mr. Avnish Dave, Adv.
Mr. Parmod Kumar Vishnoi, Adv.
Ms. Himanshi Shakya, Adv.

Mr. Varun Thakur, Adv.
Mr. Brajesh Pandey, Adv.
Mr. Varinder Kumar Sharma, AOR

- 1 Hon'ble Dr Justice Dhananjaya Y Chandrachud pronounced the order of the Bench comprising His Lordship and Hon'ble Mr Justice A S Bopanna.
- 2 In terms of the signed reportable order, the following directions are issued at this stage:

- "7 (i) We accept the recommendation of the Pandey Committee that the criteria which have been stipulated in OM 2019 be used for 2021-2022 in order to ensure that the admission process is not dislocated;
- (ii) Counselling on the basis of NEET-PG 2021 and NEET- UG 2021 shall be conducted by giving effect to the reservation as provided by the notice dated 29 July 2021, including the 27 per cent reservation

for the OBC category and 10 per cent reservation for EWS category in the AIQ seats;

- (iii) The criteria for the determination of the EWS notified by OM 2019 shall be used for identifying the EWS category for candidates who appeared for the NEET-PG 2021 and NEET-UG 2021 examinations;
- (iv) The validity of the criteria determined by the Pandey Committee for identification of EWS would prospectively for the future be subject to the final result of the petitions; and
- (v) The petitions shall be listed for final hearing on the validity of the EWS criteria as recommended by the Pandey Committee in the third week of March 2022."

3 Reasons shall follow."

4 List the petitions on 21 March 2022.

(SANJAY KUMAR-I)
AR-CUM-PS

(Signed reportable order is placed on the file)

(SAROJ KUMARI GAUR)
COURT MASTER