

ITEM NO.807

COURT NO.1

SECTION PIL-W

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

WRIT PETITION (CIVIL) Diary No.37900/2022

DR. ROHIT CHOUDHARY & ORS.

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH & ORS.

Respondent(s)

Date : 23-11-2022 This petition was MENTIONED today.

CORAM :

**HON'BLE THE CHIEF JUSTICE
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE J.B. PARDIWALA**

**For Petitioner(s) Ms. Gargi Srivastava, Adv. (Mentioned by)
Mr. Arpit Shukla, AOR
Ms. Mitali Chauhan, Adv.
Mr. Sumit Arora, Adv.**

**For Respondent(s) Ms. Aishwarya Bhati, ASG
Mr. Saurav Mishra, AAG
Mr. Sunny Choudhary, Adv.**

**UPON being mentioned the Court made the following
O R D E R**

- 1 On mentioning, the matter is taken on Board.
- 2 The State of Madhya Pradesh commenced the State mop up round for admission to the post graduate medical courses on 6 November 2022 and declared the results on 17 November 2022. Contrary to the directions of this Court, the State mop up round was completed even before the All India

Quota¹ mop up round results were declared on 19 November 2022. As a consequence of this, a piquant situation has arisen in which several candidates have blocked seats in both the State and AIQ rounds of counselling leaving meritorious candidates in the lurch.

- 3 Mr Saurabh Mishra, Additional Advocate General appearing on behalf of the State of Madhya Pradesh states that the State had proceeded to complete the State mop up round in view of the time schedule which was laid down in the order of this Court dated 21 October 2022 granting an extension of the schedule which has been prescribed in ***Ashish Ranjan and Others vs Union of India and Others***². The explanation by the State government would not hold substance since there were clear directions both of the National Medical Commission as well as of this Court as recently on 11 November 2022 in ***Samreedhi Nath and Others vs Suresh Chandra Sharma and Others***³.
- 4 In order to resolve the situation, we had requested Ms Aishwarya Bhati, Additional Solicitor General who appears on behalf of the Directorate General of Health Services, Union of India to suggest a solution.
- 5 After having heard all the counsel, we are of the considered view that it would be necessary for the State of Madhya Pradesh to conduct the State mop up round of counselling afresh. This is necessitated because the AIQ mop up round has been completed on 19 November 2022. The results of the State mop up round would have to be notified on the basis of the position as it stands after the AIQ seats have been allotted.
- 6 Accordingly, in relation to the State of Madhya Pradesh, the following schedule shall be maintained:

1 "AIQ"

2 (2016) 11 SCC 225

3 Contempt Petition (C) Diary No 35224 of 2022

S. No.	Schedule for Admission	Central Counselling		State Counselling
		All India Quota	Deemed + Central Institute	
1	Mop up round	31 st October to 18 th November 2022	31 st October to 18 th November 2022	18 th November to 26 th November 2022
2	Last date of joining	24 th November 2022	24 th November 2022	29 th November 2022
3	Stray Vacancy	28 th November to 29 th November 2022	28 th November to 29 th November 2022	30 th November to 2 nd December 2022
	Forwarding the list of students in order of merit equaling to Ten times the number of vacant seat to the Medical Colleges by the Counselling Authority to the Deemed University for Stray Vacancy Round		27 th November 2022	
4	Last date of joining	2 nd December 2022	2 nd December 2022	2 nd December 2022

7 The Petition is accordingly disposed of.

8 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar